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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

MISCELLANEOUS AMENDMENTS

1. Section 24.24 *Land Classification Specialist, Grades P–1 and P–2, Bureau of Reclamation, Department of the Interior,* is hereby revoked.

2. The headnotes of the following sections are amended to read:

§ 24.1 *Medical Officer, GS–602–0 (all grades).*

§ 24.10 *Dietitian, GS–630–0 (all grades).*

§ 24.12; paragraph (d) *Training Specialist, Department of the Army, GS–1711–6.*

§ 24.12; paragraph (e) *Instructor (Academic Subjects), Department of the Army Reconditioning Centers, GS–1711–6.*

§ 24.13 *Instructor, School Activities (Principal, High School Teacher, and Elementary Teacher), Army and Navy Civilian Schools, GS–1710–5–9.*

§ 24.16 *Social Worker (Psychiatric and Medical), GS–185–7–11.*

§ 24.19 *Forester (Forest, GS–460–5; Range, GS–454–5).*

§ 24.23 *Clinical Psychologist, GS–180–0 (all grades).*

§ 24.27 *Pharmacist, GS–660–0 (all grades).*

§ 24.29 *Physicist, GS–1310–0 (all grades).*

§ 24.30 *Engineer Trainee (Cooperative Training), GS–802–2–4.*

§ 24.40 *Instructor (Meteorology), GS–1710–7–12.*

§ 24.41 *Human Biologist, GS–14.*

§ 24.43 *Archeologist, GS–193–5–11.*

§ 24.44 *Psychologist (Personal Counselor), GS–180–11, Veterans' Administration.*

§ 24.45 *Metallurgist, GS–1321–7–15 (positions involving highly complicated or fundamental scientific research or similar difficult scientific duties).*

§ 24.50 *Forest Ecologist, GS–461–7–12 (positions involving highly technical research, design, or development, or similar complex scientific duties).*

§ 24.51 *Forest Pathologist, GS–434–7–12 (positions involving highly technical or fundamental scientific research or similar difficult scientific duties).*

§ 24.53 *Forest Soils Technologist, GS–470–7–12 (positions involving highly technical research, design, or development, or similar complex scientific duties).*

§ 24.54 *Forester (Forest Management), GS–461–7–13 (positions involving highly technical research, design, or development, or similar complex scientific duties).*

§ 24.55 *Range Ecologist, GS–454–7–12 (positions involving highly technical or fundamental scientific research, design, or development, or similar complex scientific duties).*

§ 24.56 *Silviculturist, GS–461–7–12 (positions involving highly technical or fundamental scientific research, design, or development, or similar complex scientific duties).*

§ 24.57 *Social Worker (Child Welfare), GS–185–7–9.*

§ 24.60 *Archivist, GS–1420–7–13 (positions involving specialized archival work of highly technical character).*

§ 24.61 *Microbiologist, GS–403–7–13 (positions involving highly technical research, design, or development, or similar functions).*

§ 24.62 *Nutritionist, GS – 493 – 9 – 13 (positions involving highly technical research, design, or development, or similar functions).*

§ 24.63 *Physiologist (Human), GS–413–5–15 (positions involving highly technical research, design, or development, or similar difficult scientific functions).*

§ 24.64 *Aeronautical Research Scientist, GS–861–7–15.*

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§ 24.69 *Agronomist, GS–407–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.70 *Fishery Research Biologist, GS–482–7–13 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

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§ 24.77 *Geneticist, GS–440–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.78 *Horticulturist, GS–437–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.79 *Meat Technologist, GS–495–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

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§ 24.82 *Parasitologist, GS–412–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.83 *Plant Pathologist, GS–434–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.84 *Plant Physiologist, GS–435–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.85 *Poultry Husbandman (Nutrition), GS–487–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.86 *Poultry Physiologist, GS–413–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.87 *Soil Scientist, GS–470–7–14 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.88 *Bacteriologist, GS–420–0 (all grades and options).*

§ 24.89 *Plant Quarantine Inspector, GS–436–5.*

§ 24.90 *Entomologist, GS–414–5.*

§ 24.91 *Fishery Management Biologist, GS–481–5; and Fishery Research Biologist, GS–482–5.*

§ 24.92 *Wildlife Management Biologist, GS–485–5; and Wildlife Research Biologist, GS–486–5.*

§ 24.93 *Statistician (Agricultural), GS–1530–5.*

§ 24.94 *Pharmacologist, GS–405–0 (all grades).*

§ 24.95 *Educational Specialist, GS–1720–0 (all grades).*

§ 24.96 *Electronic Scientist, GS–1312–5–15 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.97 *Geologist, GS–1350–0* (all grades).

§ 24.100 *Technologist, GS–1390–0 (all grades) (positions involving highly technical research, design, or development, or similar complex scientific functions).*

§ 24.103 *Aeronautical Research Pilot, GS–861–7–15.*

§ 24.104 *Statistician, GS–1530–5.*

§ 24.105 *Public Health Educator, GS–1720–0 (all grades).*

§ 24.106 *Fishery Products Technologist, GS–492–7–13 (positions involving highly technical research, design, or development, or similar complex scientific functions).*

3. Section 24.6 is amended as follows:

Change the headnote to read: § 24.6 *Graduate Nurse, GS–610–0 (all grades); and Public Health Nurse and Nursing Consultant, GS–615–7–15.*

Change P–690 wherever it occurs in this section to GS–615.

Change P–660 to GS–610 in paragraph (b) (1).

4. Section 24.14 is amended as follows:

Change the headnote to read: § 24.14 *Teacher and Substitute (Temporary) Teacher, GS–1710 and GS–1711, in Indian Schools.*

In the "Note" change SP–251–4 to GS–1711 and SP–250–5–7 to GS–1710.

5. Section 24.28 is amended as follows:

Change the headnote to read: § 24.28 *Chemist, GS–1320–5–15.*

In paragraph (b), delete "P–1 to P–8."

6. Section 24.35 is amended as follows:

Change the headnote to read: § 24.35 *Geophysicist, GS–1313–7–13.*

In paragraph (b), lines one and two, delete "P–2 to P–6."

7. Section 24.39 is amended as follows:

In the headnote change "P–2 through P–8" to "GS–1520–7–15."

In paragraph (b), change "the P–2 to P–8 mathematician" to "these positions."

8. Section 24.42 is amended as follows:

Change the headings of paragraphs (a) and (b) to read as follows:

(a) *Instructor of Electrical Engineering, GS–1710–11.*

(b) *Instructor of Mathematics, GS–1710–11.*

In both "Notes" change "P–4" to "GS–11."

9. Section 24.98 is amended as follows:

Change the headnote to read: § 24.98 *Student Aid (Trainee), GS–2—GS–4, in the following class codes: GS–490, Agricultural Technology; GS–408, Agriculture; GS–402, Biology; GS–802, Engineering Aid; GS–480, Fish Culture; GS–802, Flight Test Observing; GS–1341, Meteorology; GS–1311, Physical Science; GS–458, Soil Conservation; GS–815, Survey Aid.*

In paragraph (a) change SP–3 to GS–2, SP–4 to GS–3, and SP–5 to GS–4.

10. Section 24.99 is amended to read as follows:

Change the headnote to read: § 24.99 *Veterinarian (Trainee), GS–4—GS–5.*

In paragraph (a) change SP–5 to GS–4 and SP–6 to GS–5.

11. Section 24.101 is amended as follows:

Change the headnote to read as follows: § 24.101 *Trainee Research Psychologist (Physiological), GS–180–7.*

In paragraph (c) change "P–2" to "GS–7."

12. Section 24.102 is amended as follows:

Change the headnote to read: § 24.102 *Trainee Research Physiologist (Mammalian), GS–413–7.*

In paragraph (c) change "P–2" to "GS–7."

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50–480; Filed, Jan. 16, 1950; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS[1]

CANNED PINEAPPLE JUICE

On October 28, 1949, a notice of proposed rule making was published in the FEDERAL REGISTER (14 F. R. 6567) regarding a proposed revision of the United States Standards for Grades of Canned Pineapple Juice. After consideration of all relevant matters, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Canned Pineapple Juice are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949):

§ 52.569 *Canned pineapple juice.* Canned pineapple juice is the undiluted, unconcentrated, unfermented juice obtained from the edible portions of the mature fruit of the pineapple plant (Ananas comosus or Ananas sativus); is prepared by a succession of treatments (including, but not being limited to, crushing, screening, and pressing with or without heat) to extract a part of the liquid and insoluble materials; is packed with or without the addition of sweetening ingredients; is sufficiently processed by heat to assure the preservation of the product in hermetically-sealed containers and is thereupon packed into containers which are thereafter hermetically sealed.

(a) *Grades of canned pineapple juice.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned pineapple juice that possesses a very good color, is practically free from defects, possesses a very good flavor, and scores not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned pineapple juice that possesses a good color, is fairly free from defects, possesses a good flavor, and scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of canned pineapple juice that fails to meet the requirements of U. S. Grade C or U. S. Standard.

(b) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container be filled as full as practicable with pineapple juice and that the product occupy not less than 90 percent of the total capacity of the container.

(c) *Ascertaining the grade.* The grade of canned pineapple juice may be ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, absence of defects, and flavor. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factors:	*Points*
(1) Color	20
(2) Absence of defects	40
(3) Flavor	40
Total score	100

(d) *Ascertaining the rating of each factor.* The essential variations within

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example) "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Canned pineapple juice that possesses a very good color may be given a score of 17 to 20 points. "Very good color" means that the canned pineapple juice possesses a bright, typical color characteristic of canned pineapple juice made from freshly pressed pineapple juice from properly matured and properly ripened pineapple, and which pineapple juice has been properly processed.

(ii) If the canned pineapple juice possesses a good color, a score of 14 to 16 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good color" means that the canned pineapple juice possesses a characteristic color which may be slightly dull or may be light amber but is not off color.

(iii) Canned pineapple juice that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from specks and other objectionable particles and to the quantity of free and suspended pulp that may be present.

(i) Canned pineapple juice that is practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the canned pineapple juice does not contain specks or other objectionable particles that affect the appearance or palatability of the juice and that the canned pineapple juice may contain not more than 26 percent free and suspended pulp when determined in accordance with the method outlined in this section.

(ii) If the canned pineapple juice is fairly free from defects, a score of 28 to 33 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the canned pineapple juice may contain specks or other objectionable particles that do not materially affect the appearance or palatability of the juice and that the canned pineapple juice may contain not more than 30 percent free and suspended pulp when determined in accordance with the method outlined in this section.

(iii) Canned pineapple juice that fails to meet the requirements of subdivision (ii) of this subparagraph, may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Flavor.* (i) Canned pineapple juice that possesses a very good flavor may be given a score of 34 to 40 points. "Very good flavor" means a fine, distinct canned pineapple juice flavor, characteristic of canned pineapple juice made from properly matured and properly ripened pineapple, and which pineapple juice is free from any caramelized flavor and that the canned pineapple juice meets the following requirements:

Brix. Not less than 12.0 degrees.
Brix-acid ratio. Not less than 12 to 1.

(ii) If the canned pineapple juice possesses a good flavor, a score of 28 to 33 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Good flavor" means a good, normal canned pineapple juice flavor that may be slightly caramelized but is free from objectionable flavor or off flavor of any kind and that the canned pineapple juice meets the following requirements:

Brix. Not less than 10.5 degrees.
Brix-acid ratio. Not less than 12 to 1.

(iii) If the canned pineapple juice fails to meet the requirements of subdivision (ii) of this subparagraph, if the canned pineapple juice has the flavor of fruit not properly matured or not properly ripened, or if the canned pineapple juice is definitely unpalatable, a score of 0 to 27 points may be given. Canned pineapple juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(e) *Explanation of terms and analyses.* (1) "Brix" means the degrees Brix of canned pineapple juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.). If used in testing juice at a temperature other than 20 degrees C. (68 degrees F.) the applicable temperature correction shall be made to the reading of the scale as prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists." The degrees Brix of canned pineapple juice may be determined by any other method which gives equivalent results.

(2) "Free and suspended pulp" is determined by the following method: Graduated centrifuge tubes with a capacity of 50 ml. are filled with juice and placed in a suitable centrifuge. The speed is adjusted, according to the diameter, as indicated in Table No. I and the juice is centrifuged for exactly 3 minutes. As used herein, "diameter" means the over-all distance between the bottoms of opposing centrifuge tubes in operating position. After centrifuging, the milliliter reading at the top of the layer of pulp in the tube is multiplied by 2 to give the percentage of pulp.

TABLE No. I

Diameter	Approximate revolutions per minute	Diameter	Approximate revolutions per minute
10 inches	1,609	13 inches	1,410
10½ inches	1,570	13½ inches	1,384
11 inches	1,534	14 inches	1,359
11½ inches	1,500	14½ inches	1,336
12 inches	1,468	15 inches	1,313
12½ inches	1,438	15½ inches	1,292

TABLE No. I—Continued

Diameter	Approximate revolutions per minute	Diameter	Approximate revolutions per minute
16 inches	1,271	18½ inches	1,182
16½ inches	1,252	19 inches	1,167
17 inches	1,234	19½ inches	1,152
17½ inches	1,216	20 inches	1,137
18 inches	1,199		

(3) "Acid" means grams of acid (calculated as anhydrous citric acid) per 100 ml. of juice in canned pineapple juice determined by titration with standard sodium hydroxide solution using phenolphthalein indicator.

(f) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned pineapple juice, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if;

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(g) *Score sheet for canned pineapple juice.*

Size and kind of container			
Container mark or identification			
Label			
Net weight (Avd. ounces) or Liquid measure (Fl. ounces)			
Vacuum (inches)			
Brix measurement (° Brix)			
Pulp (free and suspended—% Pulp)			
Acid (anhydrous citric: grams/100 ml.)			
Brix-acid ratio			
FACTORS	**Score Points**		
I. Color	20	(A) 17-20 (C) [1] 14-16 (D) [1] 0-13	
II. Absence of defects	40	(A) 34-40 (C) [1] 28-33 (D) [1] 0-27	
III. Flavor	40	(A) 34-40 (C) [1] 28-33 (D) [1] 0-27	
Total score	100		
Grade			

[1] Indicates limiting rule.

(h) *Effective time and supersedure.* The foregoing revised United States Standards for Grades of Canned Pineapple Juice (which are the second issue) will become effective thirty days after the date of publication of these standards in the FEDERAL REGISTER and shall thereupon supersede the standards for

grades of canned pineapple juice which have been in effect since May 15, 1943.

(Sec. 202, 60 Stat. 1088; 7 U. S. C. 1622 (h))

Issued at Washington, D. C., this 12th day of January 1950.

[SEAL] ROY W. LENNARTSON,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-497; Filed, Jan. 16, 1950; 8:49 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[Amdt. 1]

PART 722—COTTON

ACREAGE ALLOTMENTS AND MARKETING QUOTAS FOR 1950 CROP

By virtue of the authority vested in the Secretary of Agriculture by the Agricultural Adjustment Act of 1938, as amended, including amendments made by Public Laws 272 and 439, 81st Congress (7 U. S. C. 1946 ed. and Sups. 1301-1393), the regulations pertaining to acreage allotments and marketing quotas for the 1950 crop of cotton (14 F. R. 7441), are amended as follows:

Table I of the regulations, containing the State acreage allotment bases, acreage allotments, and acreage reserves, is amended (a) by changing the figure in Column (8) of the table for the State of Arizona from "4,645" to "3,543"; (b) by changing the figure in Column (9) of the table for the State of Arizona from "2.0" to "1.5"; (c) by changing the figure in Column (8) of the table for the State of Texas from "229,111" to "290,207"; and (d) by changing the figure in Column (9) of the table for the State of Texas from "3.0" to "3.8".

Table II of the regulations, containing the county acreage allotments and reserves and State acreage reserves for adjustments in small farm allotments and for establishing acreage allotments for new cotton farms, is amended:

(a) By changing the figures for Cameron and Grant Parishes, Louisiana, to read as follows:

Cameron:		
Administrative Area I	965	145
Administrative Area II	192	29
Grant:		
Administrative Area I	5,097	765
Administrative Area II	542	81

(b) By changing the figures for Cleveland and Nowata Counties, Oklahoma, to read as follows:

Cleveland:		
Administrative Area I	4,489	598
Administrative Area II	845	101
Nowata:		
Administrative Area I	429	60
Administrative Area II	348	48

(c) By changing the figures for the State of Texas to read as follows:

TEXAS

County (1)	County acreage allotments (2)	Committee acreage reserve (3)
Anderson	12,529	1,461
Andrews	1,577	22
Angelina	4,541	329
Aransas	999	0
Archer	1,366	189
Armstrong	914	47
Atascosa	5,301	739
Austin	22,465	1,769
Bailey	84,831	3,816
Bastrop:		
Administrative Area I	3,533	172
Administrative Area II	12,139	1,702
Baylor	13,156	894
Bee	8,385	777
Bell	81,804	2,340
Bexar	5,241	728
Blanco	214	6
Borden	19,475	843
Bosque	15,586	2,031
Bowie	28,790	1,138
Brazoria	10,512	1,333
Brazos:		
Administrative Area I	18,827	155
Administrative Area II	7,154	916
Briscoe:		
Administrative Area I	3,542	507
Administrative Area II	14,595	2,088
Brooks	3,145	292
Brown	4,510	546
Burleson:		
Administrative Area I	16,913	1,764
Administrative Area II	19,145	1,046
Burnet	7,707	1,038
Caldwell	27,872	2,275
Calhoun	17,947	2,580
Callahan	5,291	457
Cameron	157,300	19,345
Camp	6,209	701
Cass	22,758	2,216
Castro	6,536	897
Chambers	206	21
Cherokee	12,746	1,482
Childress	51,026	1,481
Clay	15,607	2,067
Cochran	81,132	1,200
Coke	4,247	177
Coleman	18,451	2,455
Collingsworth	73,066	4,067
Collin	128,868	9,322
Colorado	12,562	1,224
Comal	467	70
Comanche	3,172	414
Concho	24,461	1,282
Cooke	12,958	856
Coryell	22,125	2,322
Cottle	57,166	4,806
Crockett	85	0
Crosby	99,752	9,246
Dallas	52,450	2,777
Dawson	228,490	5,657
Deaf Smith	1,505	60
Delta	54,565	1,760
Denton	32,966	4,372
Dewitt	20,827	2,981
Dickens	53,286	5,570
Dimmit	602	60
Donley	28,130	573
Duval	17,539	1,097
Eastland	1,577	219
Ector	285	42
Ellis	166,252	5,403
El Paso	43,311	1,251
Erath	7,867	937
Falls	95,915	3,811
Fannin	114,671	3,075
Fayette	35,591	4,141
Fisher	83,979	2,323
Floyd	45,826	6,559
Foard	17,112	1,129
Fort Bend	71,616	6,441
Franklin	8,359	859
Freestone	25,985	1,625
Frio	754	113
Gaines	31,971	706
Galveston	17	0
Garza	48,597	723
Gillespie	330	39
Glasscock	4,774	201
Goliad	5,242	436
Gonzales	21,774	3,016
Gray	2,952	226
Grayson	62,612	3,495
Gregg	2,780	298
Grimes	18,680	349
Guadalupe	26,723	2,784
Hale	77,158	6,378
Hall	103,162	3,162
Hamilton	10,183	869
Hardeman	86,027	4,209
Hardin	26	4
Harris	4,723	609
Harrison	23,504	3,117
Haskell	123,197	1,506
Hays:		
Administrative Area I	403	60
Administrative Area II	10,355	967
Hemphill	1,462	48
Henderson	10,184	1,287
Hidalgo	135,986	9,368
Hill	156,874	3,235
Hockley	202,914	4,500
Hood	2,301	299
Hopkins	44,535	3,232
Houston	24,961	3,099
Howard	87,816	3,292
Hudspeth	14,340	57
Hunt	148,477	12,803
Irion	742	50
Jack	2,552	186
Jackson	17,183	1,628
Jasper	559	61
Jefferson	257	35
Jim Hogg	1,775	165
Jim Wells	19,423	450
Johnson:		
Administrative Area I	28,727	866
Administrative Area II	12,718	816
Administrative Area III	2,403	342
Jones	96,233	4,224
Karnes	37,615	5,185
Kaufman	91,225	6,264
Kendall	7	1
Kenedy	5	0
Kent	23,025	974
Kimble	101	12
King	11,546	45
Kleberg	7,754	74
Knox	72,470	4,891
Lamar	98,643	5,667
Lamb	188,419	7,977
Lampasas	2,281	282
La Salle	1,368	155
Lavaca	41,520	5,443
Lee	10,273	1,367
Leon	13,027	1,395
Liberty	3,235	300
Limestone	99,453	1,698
Live Oak	15,119	1,078
Llano	147	15
Loving	430	30
Lubbock	248,099	14,999
Lynn	203,766	7,627
McCulloch	9,956	120
McLennan	109,386	8,118
McMullen	1,235	173
Madison	9,336	925
Marion	3,986	388
Martin	99,325	3,499
Mason	474	67
Matagorda	16,418	2,299
Maverick	6,224	120
Medina	344	47
Menard	332	10
Midland	23,234	513
Milam	63,657	8,587
Mills	2,094	300
Mitchell	66,842	1,431
Montague	5,164	608
Montgomery	1,030	117
Morris	6,415	689
Motley	38,707	1,988
Nacogdoches	11,617	1,406
Navarro	138,117	2,886
Newton	503	75
Nolan	38,495	1,630
Nueces	90,378	1,526
Palo Pinto	2,173	267
Panola	15,926	2,001
Parker	2,122	248
Parmer	4,766	556
Pecos:		
Administrative Area I	8,247	1,180
Administrative Area II	7,807	330
Polk	4,445	418
Presidio:		
Administrative Area I	466	0
Administrative Area II	1,897	72
Rains	12,112	1,302
Reagan	449	67
Red River	49,663	2,599
Reeves	18,621	1,850
Refugio	9,883	1,120
Robertson:		
Administrative Area I	12,858	416
Administrative Area II	25,859	1,516
Rockwall	33,037	2,734
Runnels	85,067	1,814
Rusk	21,371	2,725
Sabine	2,897	415
San Augustine	7,470	940
San Jacinto	8,644	239
San Patricio	66,399	1,750
San Saba	5,083	609
Schleicher	4,969	260

TEXAS—Continued

County (1)	County acreage allotments (2)	Committee acreage reserve (3)
Scurry	84,747	2,317
Shackelford	2,041	35
Shelby	14,108	1,792
Smith	14,394	1,684
Somervell	1,269	150
Starr	24,421	2,263
Stephens	679	100
Sterling	25	0
Stonewall	21,463	1,727
Swisher	7,153	1,024
Tarrant	14,593	1,082
Taylor	27,683	3,963
Terrell	78	0
Terry	118,508	8,836
Throckmorton	4,636	631
Titus	9,509	1,073
Tom Green	56,909	3,641
Travis	46,191	1,041
Trinity	3,966	369
Tyler	441	35
Upshur	8,772	1,211
Uvalde	116	0
Van Zandt	35,682	2,412
Victoria	25,450	3,295
Walker	6,972	648
Waller	6,182	825
Ward	11,594	479
Washington	33,457	4,230
Webb	1,305	149
Wharton	80,142	7,354
Wheeler	29,899	3,759
Wichita	9,311	1,293
Wilbarger	66,074	6,467
Willacy	108,198	6,535
Williamson	139,671	580
Wilson:		
Administrative Area I	5,779	753
Administrative Area II	189	28
Wise	1,834	253
Wood	9,132	801
Yoakum	8,986	633
Young	8,861	822
Zapata	1,438	185
Zavala	3,938	118
a. State total	7,502,874	----------
b. State acreage for additional allotment to small farms	5,287	----------
c. State acreage reserve for new farms and small farms	128,868	----------
d. State acreage allotment	7,637,029	----------

The State and county Production and Marketing Administration committees are presently engaged in establishing acreage allotments for farms for which complete data have not heretofore been available, in making corrections in allotments previously established, and in accepting applications for "new" farm allotments. Cotton farmers are now making plans for the financing and production of the 1950 crop and the extent of their plans as directly related to the size of the farm cotton acreage allotment. It is in the interest of the public and cotton farmers, therefore, that the notice, public procedure, and effective date provisions of section 4 of the Administrative Procedure Act (60 Stat. 237) be waived in connection with the issuance of this document. Accordingly, the foregoing amendments to the regulations shall become effective upon filing of this document with the Director, Division of the Federal Register.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. and Sup., 1375. Interpret or apply secs. 342, 343, 345, 52 Stat. 56, 58, as amended; 7 U. S. C. and Sup., 1342, 1343, 1345)

Done at Washington, D. C. this 12th day of January 1950. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 50-483; Filed, Jan. 12, 1950; 11:26 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

Subchapter D—Nationality Regulations

PART 370—PETITION FOR NATURALIZATION

PART 373—NATURALIZATION HEARINGS AND PROOF OF NATURALIZATION REQUIREMENTS

PRELIMINARY NATURALIZATION INVESTIGATIONS AND PRELIMINARY NATURALIZATION HEARINGS

NOVEMBER 9, 1949.

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of August 26, 1949 (14 F. R. 5315), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) and in which there were stated in full the terms of proposed amendments to the rules relating to preliminary naturalization investigations and preliminary naturalization hearings. Representations which have been received concerning the proposal have been considered. The rules, as stated below, are hereby adopted. The provisions of the adopted rules are the same as those stated in the notice of proposed rule making except that in the first sentence of § 370.8 the words "by the Service" have been inserted for the purpose of clarification; wherever it appears, the term "counsel" has been changed to "attorney or representative" for the purpose of clarification; to avoid conveying any impression that it is desirable in every case for a petitioner for naturalization to be represented by an attorney or representative, the first two sentences in § 373.1 (b) have been replaced by the sentence, "The alien may, at his request, be represented by an attorney or representative"; § 373.1 (f) has been changed to place the responsibility for determining when a stenographer shall be in attendance at a preliminary hearing specifically on the designated examiner; the order of paragraphs (g) and (h) of § 373.1 have been interchanged to provide for the presentation, in better sequence, of the procedure to be followed; and in § 373.1 (g), the provision that the designated examiner's memorandum shall be presented to the court, with a copy to the petitioner or his attorney or representative, has been added for the purpose of clarification.

1. Section 370.8, Chapter I, Title 8 of the Code of Federal Regulations is amended to read as follows:

§ 370.8 *Investigation preliminary to filing petition for naturalization; facts to be ascertained; manner of conducting and uniformity; limitation.* Wherever practicable, preliminary investigations of applicants for naturalization and their witnesses by the Service shall be made in person and under oath. Such preliminary investigations shall be based upon the Form N-400 submitted by the applicant. The applicant shall be interrogated as to each assertion made on pages 1, 2, and 3 of Form N-400 and his or her answers compared with those appearing in the form. Where necessary, the written answers shall be corrected to conform to the oral statement under oath. The applicant and each witness shall be interviewed separately and apart from one another. The purpose of such interviews shall be to obtain accurate and material information bearing upon the applicant's admissibility to citizenship and the qualifications of the witnesses. Both the applicant and the witnesses shall be carefully interrogated to determine whether the applicant has complied with the jurisdictional requirements of law; is mentally and morally qualified for citizenship; is attached to the principles of the Constitution of the United States, and is well disposed to the good order and happiness of the United States. If the applicant has been arrested or charged with the violation of any law or ordinance, the facts shall be ascertained, including information as to whether conviction resulted and the nature and extent of any sentence which may have been imposed. Particular attention shall be given to ascertaining the applicant's complete marital history and the whereabouts of his or her spouse, if married, and minor children, if any. Questions to applicants and witnesses shall be repeated in different form and elaborated, if necessary, until the officer conducting the interview is satisfied that the person being interrogated fully understands them. At the conclusion of the interviews, all corrections made on the Form N-400 shall be consecutively numbered and recorded in the appropriate place in the applicant's affidavit contained in the form. The affidavit will then be subscribed and sworn to by the applicant and signed by the examining officer. The witnesses shall be questioned to develop not only their own credibility and competency but also the extent of their personal knowledge of the applicant's residence, good moral character, attachment to the principles of the Constitution of the United States, and other qualifications for citizenship. Search shall be made of appropriate court and other records and other available sources of information in establishing the qualifications of the applicant and witnesses. The interview shall be limited to inquiry concerning the applicant's residence, moral character, understanding of and attachment to the fundamental principles of the Constitution of the United States, and his other qualifications to become a naturalized citizen, and shall be uniform throughout the United States.

(Secs. 37 (a), 327 (b), 54 Stat. 675, 1150; 8 U. S. C. 458 (a), 727 (b). Interpret or apply secs. 307, 309, 332, 333, 54 Stat. 1142, 1143, 1154, as amended, 1156; 8 U. S. C. and Sup., 707, 709, 732, 733)

2. Section 373.1, Chapter I, Title 8 of the Code of Federal Regulations is amended to read as follows:

§ 373.1 *Preliminary hearings, under section 333 of the Nationality Act of 1940*—(a) *By whom conducted.* Preliminary hearings conducted under section 333 of the Nationality Act of 1940 shall be open to the public. Wherever practicable, a member of the Service other than the person who conducted the preliminary investigation, shall serve as

designated examiner. The designated examiner shall preside at the preliminary hearing and the petitioner and his witnesses shall be present. The petitioner and witnesses shall first be duly sworn. The designated examiner shall have before him at the preliminary hearing the record of the preliminary investigation in each case, including the sworn Form N-400. However, he shall not be limited to the information contained in such record, but may use any admissible material evidence or data received from any other source; and he may present and examine witnesses other than those produced by the petitioner. All evidence upon which the findings and recommendations to the court will be made, including evidence relating to the competency and credibility of witnesses, shall be presented at the preliminary hearing.

(b) *Representation by Attorney or representative.* The alien may, at his request, be represented by an attorney or representative. The words "attorney or representative" as used in this part shall mean an attorney or representative as defined in § 95.1 of this chapter. If an attorney or representative be selected, it shall be ascertained by the designated examiner that such attorney or representative has been admitted to practice before the Service in accordance with § 95.2 of this chapter or is exempt from such requirement under the terms of that section. If the petitioner is represented by an attorney or representative, such attorney or representative shall be permitted to be present at all times during the hearing and at any subsequent hearings, and the petitioner shall not thereafter be interrogated without the presence of his attorney or representative unless such appearance is waived. The attorney or representative shall be permitted to offer evidence to meet any evidence presented or adduced by the Government and to cross-examine witnesses called by the Government. The designated examiner shall rule on all objections to the introduction of evidence. Evidence ruled by the designated examiner to be inadmissible shall nevertheless be received into the record, subject to the ruling of the court. The attorney or representative shall be permitted to state his objections succinctly and they shall be entered on the record. Argument of the attorney or representative in support of his objections shall be excluded from the record. However, the attorney or representative may submit such argument in the form of a brief to accompany the record.

(c) *Where petitioner is not represented by an attorney or representative.* A petitioner who is not represented by an attorney or representative shall be permitted to offer evidence to meet any evidence presented or adduced by the Government, to cross-examine witnesses called by the Government, and to make objections which shall be introduced in the record, but if the hearing is formally recorded, his arguments in support of the objections may be excluded from the record. In that event, however, the petitioner shall be permitted to submit arguments in writing to accompany the record.

(d) *Assignment of examining officer in addition to designated examiner; duties of officers.* The district director or officer in charge may in his discretion assign a second naturalization examiner to act at the hearing as "examining officer." The examining officer shall conduct the actual interrogation of the witnesses in behalf of the Government, and the cross-examination of the petitioner and the witnesses in his behalf, and present such evidence as may be pertinent to determine the admissibility of the petitioner to citizenship. The designated examiner shall exercise all functions not herein assigned to the examining officer and, in addition, may take such part in the interrogation of the petitioner and witnesses as he may deem necessary to assure that proper hearing is accorded the petitioner. The designated examiner shall rule on all objections to the introduction of evidence or motions made during the course of the hearing.

(e) *Conduct of the hearing.* The designated examiner shall, prior to the beginning of the hearing, make known to the petitioner the official capacity in which he is conducting the hearing and shall identify as to official capacity any other representative of the Service taking part in the proceedings. In cases where no examining officer has been assigned pursuant to this section, the designated examiner shall interrogate any witnesses produced in behalf of the Government, present all evidence available in behalf of the Government, and examine and cross-examine the petitioner and witnesses produced in behalf of the petitioner. Where the petitioner is not represented by an attorney or representative, the designated examiner shall assist the petitioner in the introduction of all evidence available in his behalf. A continuance of the hearing shall be granted upon motion of the petitioner or of the Government for the purpose of obtaining additional witnesses or evidence relating to the petitioner's eligibility for naturalization. The designated examiner shall see that all documentary or written evidence is properly identified and introduced into the record as exhibits by number, unless read into the record. He shall further make sure that the record, if stenographically reported, is a verbatim record of everything that is stated in the course of the hearing, including the oaths administered to the petitioner and witnesses and the rulings on objections, except statements made off the record with the consent of the petitioner or his attorney or representative and arguments in support of objections. Thereafter he shall certify that the transcribed minutes constitute a complete and accurate record of the hearing. At the time the designated examiner or officer conducts the preliminary hearing of each petitioner he shall enter on Form N-476 the petition number, petitioner's name, and, upon completion of the examination, fill in the symbols indicating his findings and a brief notation of the reasons for any unfavorable finding. This docket shall be signed by him and shall be made available to the court whenever desired, and after the final hearing shall be filed of record in the field office. After the conclusion of the preliminary hearing the witnesses may be excused from further appearance in each case where the recommendation to the court will be favorable. In any case where the recommendation is unfavorable, the designated examiner shall inform the petitioner of his right to appear before the court in person with his witnesses at the final hearing.

(f) *Hearings stenographically reported.* A stenographer shall be in attendance at the preliminary hearing in each case where, in the judgment of the designated examiner, the complexity of the issues and evidence justifies such attendance, and in each case where an examining officer is assigned. The stenographer shall record verbatim the entire proceedings, except statements made off the record with the consent of the petitioner or his attorney or representative and arguments of the petitioner or his attorney or representative in support of objections.

(g) *Findings, conclusions, and recommendation; preparation by designated examiner.* At the conclusion of the hearing, the petitioner or his attorney or representative and the examining officer, if one has been assigned, shall be offered an opportunity to submit briefs in support of arguments made at the hearing. A reasonable time for the preparation of such briefs shall be granted. In addition to meeting the requirements of paragraph (i) of this section, the designated examiner, in those cases in which the recommendation to the court is for denial of the petition, and in those cases in which it is necessary to present facts to the court in connection with petitions recommended for granting, shall prepare, as soon as practicable after the hearing has been concluded, a memorandum setting forth a summary of the evidence adduced at the hearing, his findings of fact and conclusions of law, and a recommendation as to the final disposition of the petition by the court. This memorandum shall be based upon the evidence adduced, and shall be prepared after consideration of any briefs submitted by the petitioner or by an attorney or representative for the petitioner or by the examining officer. At the time of the final hearing, or prior thereto, the memorandum shall be presented to the court and made a part of the record in the case. A copy of the memorandum shall also be furnished to the petitioner or to the petitioner's attorney or representative.

(h) *Advice to petitioner of right to representation.* If at any stage during the preliminary hearing it becomes apparent to the designated examiner that his recommendation may be for denial of the petition, or for granting the petition with the facts to be presented to the court, he shall advise the petitioner of his right to be represented by an attorney or representative. A continuance of the hearing shall be granted upon the petitioner's motion for the purpose of obtaining an attorney or representative.

(i) *Preparation of recommendations and orders of court for presentation at final hearing.* Prior to a final hearing there shall be prepared in triplicate, for presentation to the court, lists on Forms

N–480 or N–481 for all petitions recommended to be granted, on Form N–483 for petitions recommended to be continued, and on Form N–484 for petitions recommended to be denied. These forms shall be signed by the officer in attendance at the final hearing and submitted to the judge of the court at or before the final hearing. After the final hearing has been held, an order of court shall be prepared in triplicate on Form N–482 for petitions recommended to be granted, on Form N–483 for petitions recommended to be continued, and on Form N–484–A for petitions recommended to be denied. The original order of court shall be presented for signature to the judge who presided at the final hearing. The originals of all of the forms named in this paragraph shall be filed permanently in the court, the duplicates forwarded by the clerk of court through the appropriate field office to the Central Office, and the triplicates filed in the field office.

(Secs. 37 (a), 327 (b), 54 Stat. 675, 1150; 8 U. S. C. 458 (a), 727 (b). Interpret or apply secs. 333, 334 (b), 54 Stat. 1156, as amended; 8 U. S. C. and Sup. 733, 734 (b))

The rule stated above shall become effective on the 31st day following the date of its publication in the FEDERAL REGISTER.

The basis for the rules prescribed above is a determination that it will result in better administration of the naturalization laws to require that the application form submitted by a petitioner for naturalization be sworn to after it has been corrected to conform to the applicant's oral statements under oath; to provide for the assignment of an additional officer to act as "examining officer" in difficult cases; to provide that the petitioner, or his attorney or representative, may offer or object to evidence, cross-examine witnesses, and submit arguments; to provide for the stenographic reporting of certain hearings; and to require the designated examiner to prepare proposed findings of fact, conclusions of law, and a recommendation for disposition of the petition. The general purpose of these rules is to make available to interested persons a comprehensive statement of the procedure for conducting preliminary naturalization investigations and preliminary naturalization hearings.

WATSON B. MILLER,
Commissioner,
Immigration and Naturalization.

Approved January 9, 1950.

PEYTON FORD,
Acting Attorney General.

[F. R. Doc. 50–490; Filed, Jan. 16, 1950; 8:48 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

DEFINITIONS OF TERMS USED IN THE ACT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly section 19 (a) thereof, and deeming such action appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby rescinds § 230.144 (Rule 144) of the general rules and regulations under the act.

Because of the limited applicability of Part 285 (Regulation BW), *infra*, on which the views and comments of the Bank have been received and considered, and because the rules and form hereby rescinded have ceased to be operative and their rescission does not affect the substantive rights of any person, the Commission finds that notice and procedure pursuant to section 4 of the Administrative Procedure Act are unnecessary.

The foregoing action of the Commission shall become effective January 9, 1950.

(Secs. 19 (a), 48 Stat. 85; 15 U. S. C. 77s)

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 6, 1950.

[F. R. Doc. 50–476; Filed, Jan. 16, 1950; 8:48 a. m.]

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

FORM FOR REGISTRATION OF SECURITIES ISSUED BY THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Act of 1933, as amended, particularly section 19 (a) thereof, and deeming such action appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby rescinds § 239.21 (Form S–7).

Because of the limited applicability of Part 285 (Regulation BW), *infra*, on which the views and comments of the Bank have been received and considered, and because the rules and form hereby rescinded have ceased to be operative and their rescission does not affect the substantive rights of any person, the Commission finds that notice and procedure pursuant to section 4 of the Administrative Procedure Act are unnecessary.

The foregoing action of the Commission shall become effective January 9, 1950.

(Sec. 19 (a), 48 Stat. 85; 15 U. S. C. 77s)

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 6, 1950.

[F. R. Doc. 50–477; Filed, Jan. 16, 1950; 8:48 a. m.]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

EXEMPTION OF SECURITIES OF INTERNATIONAL BANKING ORGANIZATIONS

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly section 23 (a) thereof, and deeming such action appropriate in the public interest and for the protection of investors and necessary for the execution of the functions vested in the Commission by the act, hereby rescinds §§ 240.12d3–11, 240.15a–3 and 240.15am–1 (Rules X-12D3–11, X-15A–3 and X-15AM–1).

Because of the limited applicability of Part 285 (Regulation BW), *infra*, on which the views and comments of the Bank have been received and considered, and because the rules and form hereby rescinded have ceased to be operative and their rescission does not affect the substantive rights of any person, the Commission finds that notice and procedure pursuant to section 4 of the Administrative Procedure Act are unnecessary.

The foregoing action of the Commission shall become effective January 9, 1950.

(Sec. 23 (a), 48 Stat. 901; 15 U. S. C. 78w)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 6, 1950.

[F. R. Doc. 50–478; Filed, Jan. 16, 1950; 8:49 a. m.]

PART 285—RULES AND REGULATIONS PURSUANT TO SECTION 15 (a) OF THE BRETTON WOODS AGREEMENTS ACT

ADOPTION OF REGULATION BW

The Securities and Exchange Commission today adopted rules and regulations specifying the periodic and other reports to be filed with it by the International Bank for Reconstruction and Development. This action is taken pursuant to section 15 (a) of the Bretton Woods Agreements Act, as amended. This section was added to the act by the 81st Congress and was approved June 29, 1949.

Section 15 of the above-mentioned act exempts from registration under both the Securities Act of 1933 and the Securities Exchange Act of 1934 securities issued or guaranteed as to both principal and interest by the Bank. However, the Bank is required to file with the Commission such annual and other reports with respect to such securities as the Commission shall determine to be appropriate in view of the special character of the Bank and its operations and necessary in the public interest or for the protection of investors. The Commission has heretofore expressed its opinion that an exemption is available under the Trust Indenture Act of 1939.

The new rules and regulations adopted today require the Bank to file with the Commission substantially the same information, documents and reports as would be required if the Bank had securities registered under the Securities Exchange Act of 1934. The Bank is also required to file a report with the Commission not less than seven days prior to the date on which any of its primary obligations are sold to the public in the United States. This report and the periodic reports filed make available at the

Commission information quite similar to the information which would be required in a registration statement under the Securities Act of 1933. This carries out the intention which the Commission expressed to the Congress when the amendment to the Bretton Woods Agreements Act was under consideration.

The Commission is informed by the Bank that no public offering of securities guaranteed by the Bank is presently contemplated. Accordingly, the new rules, insofar as they require the reporting of the proposed public sale of securities, are limited to the sale of primary obligations of the Bank. Rules with respect to reporting the proposed sale of securities guaranteed by the Bank will be adopted by the Commission when the need therefor arises.

The Commission has also rescinded certain rules previously adopted under the Securities Act of 1933 and the Securities Exchange Act of 1934 with particular reference to the Bank.

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to section 15 (a) of the Bretton Woods Agreements Act, as amended, and finding such action appropriate in view of the special character of the Bank and its operations and necessary in the public interest and for the protection of investors, hereby adopts Regulation BW (Part 285) for the purpose of specifying the information, documents and reports to be filed with the Commission by the International Bank for Reconstruction and Development.

Sec.
285.1 Applicability of part.
285.2 Periodic reports.
285.3 Reports with respect to proposed distribution of primary obligations.
285.4 Preparation and filing of reports.

AUTHORITY: §§ 285.1 to 285.4 issued under sec. 19 (a), 48 Stat. 85, sec. 23 (a), 48 Stat. 901, sec. 15 (a), Pub. Law 142, 81st Cong.; 15 U. S. C. 78w, 77s.

§ 285.1 *Applicability of part.* Regulation BW (Part 285) prescribes the reports to be filed with the Securities and Exchange Commission by the International Bank for Reconstruction and Development pursuant to section 15 (a) of the Bretton Woods Agreements Act.

§ 285.2 *Periodic reports.* (a) The Bank shall file with the Commission the reports specified below. Such reports shall be filed as soon as practicable after the information becomes available, but in any event within 30 days after the date on which such information becomes available.

(1) Information as to any purchases or sales by the Bank of its primary obligations.

(2) Copies of the constituent documents defining the rights of holders of securities of other issuers guaranteed by the Bank.

(3) Copies of all loan and guarantee agreements to which the Bank becomes a party.

(4) Copies of any material modifications or amendments of any of the foregoing or of any exhibits previously filed with the Commission under any statute.

(b) Within 45 days after the end of each of its fiscal quarters, the Bank shall file with the Commission the following information:

(1) A quarterly statement of the gross operating revenues of the Bank.

(2) Copies of the Bank's regular quarterly financial statement.

(c) Copies of each annual report of the Bank to its Board of Governors shall be filed with the Commission within 10 days after the submission of such report to the Board of Governors.

§ 285.3 *Reports with respect to proposed distribution of primary obligations.* The Bank shall file with the Commission, not less than 7 days prior to the date on which it proposes to sell any of its primary obligations in connection with a distribution of such obligations in the United States, a report containing the information and documents specified in Schedule A below. The term "sell" as used in this section and in Schedule A means the making of a completed sale or a firm commitment to sell.

§ 285.4 *Preparation and filing of reports.* (a) Every report required by this part shall be filed under cover of a letter of transmittal which shall state the nature of the report and indicate the particular rule and subdivision thereof pursuant to which the report is filed. At least the original of every such letter shall be signed on behalf of the Bank by a duly authorized officer thereof.

(b) Two copies of every report, including the letter of transmittal, exhibits and other papers and documents comprising a part of the report, shall be filed with the Commission.

(c) The report shall be in the English language. If any exhibit or other paper or document filed with the report is in a foreign language, it shall be accompanied by a translation into the English language.

(d) Reports pursuant to § 285.3 (Rule 3) may be filed in the form of a prospectus to the extent that such prospectus contains the information specified in Schedule A.

SCHEDULE A

This schedule specifies the information and documents to be furnished in a report pursuant to § 285.3 (Rule 3) with respect to a proposed distribution of primary obligations of the Bank. Information not available at the time of filing the report shall be filed as promptly thereafter as possible.

ITEM 1. *Description of obligations.* As to each issue of primary obligations of the Bank which is to be distributed, furnish the following information:

(a) The title and date of the issue.

(b) The interest rate and interest payment dates.

(c) The maturity date or, if serial, the plan of serial maturities. If the maturity of the obligation may be accelerated, state the circumstances under which it may be so accelerated.

(d) A brief outline of (1) any redemption provisions and (2) any amortization, sinking fund or retirement provisions, stating the annual amount, if any, which the Bank will be under obligation to apply for the satisfaction of such provisions.

(e) If secured by any lien, the kind and priority thereof, and the nature of the property subject to the lien; if any other indebtedness is secured by an equal or prior lien on the same property, state the nature of such other liens.

(f) If any obligations issued or to be issued by the Bank will, as to the payment of interest or principal, rank prior to the obligations to be distributed, describe the nature and extent of such priority.

(g) Outline briefly any provisions of the governing instruments under which the terms of the obligations to be distributed may be amended or modified by the holders thereof or otherwise.

(h) Outline briefly any other material provisions of the governing instruments pertaining to the rights of the holders of the obligations to be distributed or pertaining to the duties of the Bank with respect thereto.

(i) The name and address of the fiscal or paying agent of the Bank, if any.

ITEM 2. *Distribution of obligations.* (a) Outline briefly the plan of distribution of the obligations and state the amount of the participation of each principal underwriter, if any.

(b) Describe any arrangements known to the Bank or to any principal underwriter named above designed to stabilize the market for the obligations for the account of the Bank or the principal underwriters as a group and indicate whether any transactions have already been effected to accomplish that purpose.

(c) Describe any arrangements for withholding commissions, or otherwise, to hold each underwriter or dealer responsible for the distribution of his participation.

ITEM 3. *Distribution spread.* The following information shall be given, in substantially the tabular form indicated, as to all obligations which are to be offered for cash (estimate, if necessary):

	Price to the public	Selling discounts and commissions	Proceeds to the Bank
Per unit			
Total			

ITEM 4. *Discounts and commissions to sub-underwriters and dealers.* State briefly the discounts and commissions to be allowed or paid to dealers. If any dealers are to act in the capacity of sub-underwriters and are to be allowed or paid any additional discounts or commissions for acting in such capacity, a general statement to that effect will suffice, without giving the additional amounts so paid or to be so paid.

ITEM 5. *Other expenses of distribution.* Furnish a reasonably itemized statement of all expenses of the Bank in connection with the issuance and distribution of the obligations, except underwriters' or dealers' discounts and commissions.

Instructions: Insofar as practicable, the itemization shall include transfer agents' fees, cost of printing and engraving, and legal and accounting fees. The information may be given as subject to future contingencies. If the amounts of any items are not known, estimates, designated as such, shall be given.

ITEM 6. *Application of proceeds.* Make a reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds to the Bank from the obligations are to be used, and state the approximate amount to be used for each such purpose.

ITEM 7. *Exhibits to be furnished.* The following documents shall be attached to or otherwise furnished as a part of the report:

(a) Copies of the constituent instruments defining the rights evidenced by the obligations.

(b) Copies of an opinion of counsel, in the English language, as to the legality of the obligations.

(c) Copies of all material contracts pertaining to the issuance or distribution of the obligations, to which the Bank or any prin-

cipal underwriter of the obligations is or is to be a party.

(d) Copies of any prospectus or other sales literature to be provided by the Bank or any of the principal underwriters for general use in connection with the initial distribution of the obligations to the public.

Because of the limited applicability of Regulation BW (Part 285), on which the views and comments of the Bank have been received and considered, and because the rules and form hereby rescinded have ceased to be operative and their rescission does not affect the substantive rights of any person, the Commission finds that notice and procedure pursuant to section 4 of the Administrative Procedure Act are unnecessary.

The foregoing action of the Commission shall become effective January 9, 1950.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

JANUARY 6, 1950.

[F. R. Doc. 50-475; Filed, Jan. 16, 1950; 10:18 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 208]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) is amended in the following respect:

A new Item 60 is added to Schedule B to read as follows:

60. Provisions relating to the Los Angeles, California, Defense-Rental Area.

Decontrol of specified class of housing accommodations on Housing Expediter's own initiative. In accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended, the application of §§ 825.1 to 825.12 is hereby terminated, effective January 16, 1950 with respect to housing accommodations in the Los Angeles, California, Defense-Rental Area which, on that date, met the following description:

(a) Unfurnished housing accommodations consisting of at least five rooms, which were not occupied by more than a single family, and for which the maximum rent was equal to at least $30 per room per month; and

(b) Furnished housing accommodations consisting of at least four rooms, which were not occupied by more than a single family, and for which the maximum rent was equal to at least $50 per room per month.

For purposes of this decontrol provision, enclosed kitchens shall be counted as rooms, but bathrooms shall not be counted as rooms.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall become effective January 16, 1950.

Issued this 12th day of January 1950.

TIGHE E. WOODS, *Housing Expediter.*

[F. R. Doc. 50-495; Filed, Jan. 16, 1950; 10:08 a. m.]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RESTRICTIONS ON REMOVAL OF TENANT

Amendment 209 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) Amendment 25 to the Controlled Housing Rent Regulation for New York City Defense-Rental Area (§§ 825.21 to 825.32), Amendment 25 to the Controlled Housing Rent Regulation for the Atlantic County Defense-Rental Area (§§ 825.61 to 825.72), Amendment 207 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) and Amendment 21 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area (§§ 825.101 to 825.112).

Sections 825.6 (a),[1] 825.26 (a),[2] 825.66 (a),[3] 825.86 (a),[4] and 825.106 (a)[5] are hereby amended by deleting the clause "*Provided, however,* That no provisions of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under local law" which appears at the end of the opening paragraph thereof, and changing the colon which precedes said clause to a period.

Said opening paragraph of §§ 825.6 (a), 825.26 (a), 825.66 (a), 825.86 (a) and 825.106 (a), as hereby amended, will read as follows:

(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession, or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary hereto, except on one or more of the grounds specified in this paragraph, or unless the landlord has obtained a certificate in accordance with paragraph (c) of this section.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup., 1894)

This amendment shall become effective January 12, 1950.

Issued this 12th day of January 1950.

TIGHE E. WOODS, *Housing Expediter.*

Statement to Accompany Amendment 209 to the Controlled Housing Rent Regulation and Companion Amendments to the Other Rent Regulations

It has come to the attention of the Housing Expediter that certain local authorities claim the power and authority to regulate rents for housing accommodations which are subject to Federal rent control, and to prohibit eviction of tenants for failure to pay more than the rent ceilings fixed by such local laws, on the basis that where the rent ceilings imposed by the local law are lower than the maximum rents established by the Federal law no conflict with the Federal law is involved. In support of this claim attention has been called to the following provision which appears in the Federal rent regulations: "*Provided, however,* That no provisions of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under local law." It has been contended that the above-quoted provision of the Federal regulations indicates that there is no conflict between such Federal and local legislation.

The Housing and Rent Act of 1949 and its legislative history clearly show that Congress, in controlling rents for housing accommodations, intended that landlords be relieved of hardship and assured of a fair net operating income and that adjustments for these purposes and to correct other inequities shall be made promptly and with a minimum of delay. It is the judgment of the Housing Expediter that the establishment of rent ceilings by local law lower than those established by the Federal regulation, or by adjustment orders issued thereunder, would be violative of these purposes of the Federal Act and would, therefore, be clearly in conflict with that act. Even where the local law makes provision for adjustments by local rent control authorities, there is no assurance that such adjustments would be granted where increases have been ordered under the Federal law, or that such adjustments, if granted, would be equal to the adjustments ordered under the Federal law. Doubt and controversy as to which standards should govern in the determination of rent adjustments would create confusion for both landlords and tenants. At best, the effect of such local rent control laws would be to require landlords to duplicate their efforts in obtaining adjustments, thus creating extensive delay in an area of rent regulation in which Congress has specifically stated that promptness is one of its basic objectives.

Where a local rent control law includes provisions prohibiting the removal or eviction of a tenant for failure to pay a rental which is within the maximum rent established or ordered under Federal law, but is in excess of a lower rent ceiling fixed by the local law, such restraint on removal or eviction is equally in conflict with the Federal law, for its effect is to nullify the maximum rents established by and the adjustments ordered under, the Federal law.

Since it has been contended that the above-quoted provision of the Federal rent regulations indicates results which in fact are contrary to the judgment and intention of the Housing Expediter as herein set forth, said provision is revoked by the accompanying amendment to the Federal regulations for purposes of clar-

[1] 14 F. R. 1571.
[2] 14 F. R. 1574.
[3] 14 F. R. 1577.
[4] 14 F. R. 1582.
[5] 14 F. R. 1580.

ifying the position of the Housing Expediter.

[F. R. Doc. 50-496; Filed, Jan. 16, 1950; 10:09 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 522—EMPLOYMENT OF LEARNERS

HOSIERY INDUSTRY

Pursuant to section 14 of the Fair Labor Standards Act the Administrator has heretofore promulgated regulations (§§ 522.40 to 522.51) setting forth terms and conditions under which special certificates may be granted to plants in the hosiery industry authorizing employment of learners at 35 cents an hour, which wage is below the minimum wage established in section 6 of the act.

On December 14, 1949, a notice was published in the FEDERAL REGISTER (14 F. R. 7485) that the Administrator proposed to revise §§ 522.40 to 522.51 so as to provide, among other things, higher subminimum learner rates, and a longer learning period for two occupations in the industry. Interested persons were given ten days in which to submit data, views, or arguments pertaining to the proposed amendments. This period has now expired and careful consideration has been given to all material and data submitted.

I find that it is necessary, in order to prevent the curtailment of opportunities for employment, that the regulations contained in §§ 522.40 to 522.51, as published in the FEDERAL REGISTER on December 14, 1949 (14 F. R. 7485) be adopted and revised as set forth below.

Now, therefore, pursuant to the authority vested in me by section 14 of the Fair Labor Standards Act, as amended, and in accordance with § 522.12, §§ 522.40 to 522.51 are hereby revised as set forth below.

Sec.

AUTHORITY: §§ 522.40 to 522.51 issued under sec. 14, 52 Stat. 1068 as amended; 29 U. S. C. and Sup., 214.

§ 522.40 *Issue of special learner certificates in the hosiery industry.* (a) When necessary in order to prevent the curtailment of opportunities for employment, special certificates authorizing the employment of learners in the occupations and subject to the terms herein set forth shall be issued to any plant in the hosiery industry making application therefor on forms furnished by the Wage and Hour Division, providing that:

(1) Experienced workers in the occupations named herein are not available for such employment (except as provided in § 522.49),

(2) The issue of a special certificate will create no unfair competitive labor cost advantage, and

(3) Will not impair or depress working standards established for experienced workers for work of a like or comparable character in the industry.

(b) Such application forms require to be set forth, among other things, a list of occupations in which learners are requested, the number of learners requested, the number of learners hired during the preceding 12 months, a list of occupations in which experienced workers are employed, the number employed, their average straight-time hourly earnings in cents per hour, and information concerning the type of machine to be used by learners.

§ 522.41 *Number and proportion of learners.* (a) Except as otherwise provided in this section, no learners' certificate shall authorize the employment of learners in excess of five percent of the total number of factory workers (not including office and sales personnel) employed in the plant; *Provided, however,* That employment of as many as five learners may be authorized in any certificate.

(b) Special certificates may also be issued for a number of learners in excess of that provided in paragraph (a) of this section, for new mills and expanding mills. A new mill is one which is newly established and being operated for the first time, or which has not been operated more than eight months, and in which a substantial number of workers must be trained for operations on products of the mill. Expanding mills are those in which expansion occurs through the installation of additional mechanical equipment or the utilization of mechanical equipment in that mill which has been idle for at least one year and which expansion will result in the need for additional learners in numbers in excess of five percent or five learners.

§ 522.42 *Learner occupations.* (a) A learner may be employed in any one of the following Class I occupations at not less than the applicable hourly rate provided in § 522.45:

CLASS I OCCUPATIONS

Seamless Branch

Knitting (except transfer top knitting).
Seaming.
Topping.
Boarding.
Folding.
Examining and Inspecting.
Welting.

Full-Fashioned Branch

Boarding.
Folding.
Examining and Inspecting.

(b) A learner may be employed in any one of the following Class II occupations at not less than the applicable hourly rate provided for such occupations in § 522.46:

CLASS II OCCUPATIONS

Seamless Branch

Knitting (transfer top knitting only).
Looping.
Mending.
Pairing.

Full-Fashioned Branch

Knitting.
Looping.
Seaming.
Topping.
Mending.
Pairing.

§ 522.43 *Learning period in Class I occupations.* (a) A person who has had no previous hosiery industry experience in any one of the Class I occupations may be employed as a learner in any one of the above Class I occupations for not to exceed 480 hours.

(b) A person who has had partial training in the hosiery industry in any one Class I Occupation for less than 480 hours may be employed as a learner in the same Class I occupation until that employee has completed a total of 480 hours in that occupation.

(c) A worker previously employed in one of the Class I occupations may be transferred to another Class I occupation and there employed as a learner for not to exceed 480 hours except that:

(1) A worker may not be transferred from the seamless branch of the hosiery industry to the full-fashioned, or the full-fashioned branch to the seamless and employed as a learner if the person is employed in the same occupation as that in which he or she has been previously employed.

(2) A worker may not be employed as a learner in more than two Class I occupations and if further Class I occupational transfers are made, the employee shall then be paid the full hosiery industry minimum wage applicable to the branch in which he or she is employed.

(d) A worker in any of the Class II occupations named above may be transferred to and employed as a learner for not to exceed 480 hours in any one of the Class I occupations, except that a worker may not be transferred from the occupation of pairing to the occupations of folding or inspecting, nor may a worker be transferred to the same type of work in a Class I occupation for which training has already been received in a Class II occupation.

§ 522.44 *Learning period in Class II Occupations.* (a) A person who has had no previous experience in the hosiery industry in any one of the Class I or Class II occupations may be employed as a learner for not to exceed 960 hours in any one of the Class II occupations.

(b) A person who has had partial training in the hosiery industry in any one Class II occupation for less than 960 hours may be employed as a learner in the same Class II occupation until that employee has completed a total of 960 hours in that occupation.

(c) A person who has completed the learning period of 960 hours in any one of the Class II occupations may be employed as a learner in another Class II occupation for not to exceed 480 hours except that:

(1) A worker in the seamless branch may not be transferred to the full-fashioned branch, or a worker in the full-fashioned branch may not be trans-

ferred to the seamless branch and employed as a learner in the same occupation in the other branch as that in which he or she has been previously employed, and

(2) A worker may not be employed as a learner in more than two Class II occupations and if further Class II occupational transfers are made, the employee shall then be paid the full hosiery industry minimum wage applicable to the branch in which he or she is employed.

(d) A worker in a Class I occupation who has not been employed as a learner in more than two Class I occupations may be transferred to and employed as a learner for not to exceed 480 hours in any one of the Class II occupations, with the exception of full-fashioned knitting for which provision is made in paragraph (e) of this section, and with the further exception that a folder or an inspector who is transferred to pairing may not be employed at the learner rate for more than a total of 960 hours.

(e) A worker in any Class I or Class II occupation, except full-fashioned topping, may be employed as a learner on full-fashioned knitting for a total of not to exceed 960 hours, which total hours shall include all past employment, if any, in full-fashioned knitting.

§ 522.45 *Class I learner rates.* Learners employed in Class I occupations shall be paid not less than 59 cents an hour in the seamless branch, and not less than 65 cents an hour in the full-fashioned branch of the industry.

§ 522.46 *Class II learner rates*—(a) *Piece rate basis.* Learners employed on a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 59 cents an hour for the first 480 hours, and not less than 65 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 70 cents an hour for the second 480 hours.

(b) *Basis other than piece rate.* Learners employed on other than a piece-rate basis in Class II occupations in the seamless branch of the hosiery industry shall be paid not less than 59 cents an hour for the first 480 hours, and 66 cents an hour for the second 480 hours; and in the full-fashioned branch, not less than 65 cents an hour for the first 480 hours, and not less than 71 cents for the second 480 hours.

(c) *Retraining*—(1) *Piece rate basis.* A worker employed on a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retraining), shall be paid not less than 60 cents an hour in the seamless branch of the hosiery industry and not less than 68 cents an hour in the full-fashioned branch.

(2) *Basis other than piece rate.* A worker employed on other than a piece-rate basis, who is being transferred and employed as a learner in accordance with § 522.44 (c) or (d) (retraining), shall be paid not less than 68 cents an hour in the seamless branch of the hosiery industry and not less than 71 cents an hour in the full-fashioned branch.

§ 522.47 *Piece rate payment to all learners.* If experienced operators are paid on a piece work rate, learners shall be paid at least the same piece work rate as that paid workers already employed on similar work in the establishment and learners shall receive their full piece work earnings whenever these exceed the subminimum hourly wage established in the certificate.

§ 522.48 *Duration of Certificates.* Special learner certificates authorizing the employment of learners not in excess of five percent of total factory employees or certificates authorizing not more than five learners shall be valid for a period of not longer than one year unless sooner revoked because an adequate supply of experienced workers are available or for other cause. Special certificates authorizing the employment of learners in excess of five percent shall be valid for a period not exceeding eight months unless sooner revoked in accordance with § 522.50 for cause.

§ 522.49 *Provisions of learner certificates.* All special certificates shall include, among other matters, the learner occupations, length of learning period, and rates set forth hereinabove; the definition of a learner; the requirement that the employer shall exercise due diligence to secure experienced workers before employing inexperienced workers at learner rates in their stead, except in the instance of retraining experienced workers already employed in the mill, when the necessity of employing experienced workers in lieu of learners shall not apply; the requirement that the certificate shall be posted continuously during its validity in a conspicuous place in the plant where the learners are to be employed; and a prohibition against the violation of any of the terms and conditions set forth in the certificate.

§ 522.50 *Revocation of special learner certificates.* (a) Any special certificate may be canceled if it is found that it is not necessary to prevent a curtailment of opportunities for employment: *Provided, however,* That when experienced workers become available after a certificate has been issued, the certificate may be canceled insofar as future employment is concerned, or may be allowed to continue in effect, upon condition that the employer does not hire additional learners under it until experienced workers are not again available. In the absence of fraud or misrepresentation learners already hired under a special certificate may be retained under the terms of the certificate if the learning period extends beyond the date on which the certificate has been canceled.

(b) Any special certificate shall be cancelled as of the date of issue if it is found that the certificate has been obtained by fraud or misrepresentation. When a certificate has been obtained by fraud or misrepresentation the employer shall be liable to the employee for wages established by the act as if no certificate had issued.

(c) Any special certificate may be cancelled as of the first date of violation if it is found that any of its terms have been violated, and the employer shall be liable to those employed under such certificate, from the date of violation, for wages established by the act.

(d) Except in cases of willfulness or those in which the public interest requires otherwise, before any contemplated action for the cancellation or revocation of any special certificate for the employment of learners in the hosiery industry will be considered, facts or conduct which may warrant such action shall be called to the attention of the employer in writing and he shall be accorded an opportunity to demonstrate or achieve compliance with the regulations contained in this part.

§ 522.51 *Definition of the hosiery industry.* The definition of the term "hosiery industry," for the purpose of this part, shall be as follows: The manufacture or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacture or processing of yarn or thread.

It is the judgment of the Administrator that proper administration of the Fair Labor Standards Act requires that the effective date of the revision provided herein coincide with the effective date of the Fair Labor Standards Amendments of 1949. Accordingly, §§ 522.40 to 522.51 as amended herein shall become effective on January 25, 1950, and shall continue in full force and effect until hereafter modified, superseded or rescinded.

Signed at Washington, D. C., this 12th day of January 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 50-499; Filed, Jan. 13, 1950; 10:12 a. m.]

PART 522—EMPLOYMENT OF LEARNERS

TEXTILE INDUSTRY

Pursuant to section 14 of the Fair Labor Standards Act of 1938, the Administrator in May 1941, published in the FEDERAL REGISTER (6 F. R. 2446) regulations (§§ 522.140 to 522.159 of this chapter) providing terms and conditions under which certificates would be issued to authorize employment of learners in the textile industry at wages lower than the minimum wage applicable under section 6 of the act. These regulations were amended in March 1943 (8 F. R. 3079), to provide a subminimum wage rate of 35 cents an hour for learners in specified occupations in the textile industry. No certificates have been requested or issued under these regulations during the past several years.

In view of the fact that the Fair Labor Standards Amendments of 1949 raised the minimum wage provided in section 6 of the act from 40 to 75 cents an hour, effective January 25, 1950, a hearing was held on December 19, 1949, in accordance with § 522.12, pursuant to a notice published in the FEDERAL REGISTER on December 14, 1949 (14 F. R. 7487), to take evidence on the following questions:

1. Is it necessary, in order to prevent curtailment of opportunities for employment, to provide for employment of learners in the textile industry, as defined in § 522.158, after January 25, 1950, at wages below the minimum provided

in section 6 of the Fair Labor Standards Act, as amended; and if such necessity be found to exist,

2. What subminimum wage rate should be provided for learners in the textile industry, what number or proportion of learners should be permitted in a plant, in what occupations should learners be permitted, and the length or duration of learning period?

No representatives of employers in the textile industry appeared at the hearing, although a limited number of applications have been received from individual companies requesting learner certificates. Employee representatives appeared at the hearing and presented testimony and evidence to show that it is not necessary, in order to prevent curtailment of opportunities for employment, to provide for employment of learners in the textile industry at subminimum rates.

On the basis of all the information before me, I find that there is at the present time no necessity, in order to prevent curtailment of opportunities for employment, to provide by special industry-wide regulations for employment of learners in the textile industry at subminimum wage rates.

Accordingly, pursuant to authority vested in me by the Fair Labor Standards Act of 1938, as amended, §§ 522.140 to 522.159, are hereby revoked.

When necessary in order to prevent curtailment of opportunities for employment, application may be made under the general learner regulations (§§ 522.1 to 522.14) by employers in the textile industry to employ learners at subminimum wage rates.

It is my judgment that proper administration of the Fair Labor Standards Act requires that the effective date of this order of revocation coincide with the effective date of the 1949 amendments to the act. Therefore, this order shall become effective on January 25, 1950.

(Sec. 14, 52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214)

Signed at Washington, D. C., this 12th day of January 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 50-498; Filed, Jan. 13, 1950; 10:12 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

DEATH PENSION OR COMPENSATION

In § 4.77, a new paragraph (e) is added to read as follows:

§ 4.77 *Death pension or compensation payable solely by virtue of certain amendatory laws.* * * *

(e) *Section 5, Public Law 339, 81st Congress.* The date of commencement of original awards of death compensation payable solely as a result of the provisions of section 5, Public Law 339, 81st Congress, shall be the day following the date of death of the veteran or October 10, 1949, whichever is the later, if application is filed within one year from date of death; otherwise from date of filing application, but in no event prior to October 10, 1949. A claim pending on October 10, 1949, shall be considered a claim under this law. A claim disallowed prior to October 10, 1949, shall be reconsidered on the basis of a new claim, formal or informal, filed on or after that date.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 44 Stat. 382, as amended, secs. 1, 2, 46 Stat. 492, 1016, as amended, sec. 7, 48 Stat. 9, sec. 1, 52 Stat. 440, as amended, sec. 16, 57 Stat. 559, 58 Stat. 107; 38 U. S. C. 11a, 364a, 364g, 364h, 365, 370, 426, 707, 731 note; sec. 5, Pub. Law 339, 81st Cong.)

This regulation effective January 17, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50-287; Filed, Jan. 16, 1950; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR, Part 520]

STUDENT LEARNERS

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 14 of the Fair Labor Standards Act, as amended, the Administrator has heretofore issued regulations (29 CFR, Part 520) providing terms and conditions for the issuance of special certificates authorizing the employment of student learners at wages below the minimum wage established in section 6 of the act.

In view of the fact that the Fair Labor Standards Amendments of 1949 increased the minimum wage required to be paid under section 6 of the act from 40 cents to 75 cents an hour, effective January 25, 1950, an investigation has been conducted for the purpose of ascertaining the need for revision or revocation of the aforementioned regulations.

Such investigation and all relevant information available indicates that the following regulations providing for the employment of student-learners are necessary in order to prevent curtailment of opportunities for employment. Accordingly, notice is hereby given pursuant to the Administrative Procedure Act (60 Stat. 237; 5 U. S. 1001) that the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to revise the said regulations effective January 25, 1950, to read as hereinafter set forth.

Prior to the final adoption of the regulations as revised, consideration will be given to any data, views or arguments pertaining to the question of whether such regulations are necessary in order to prevent the curtailment of opportunities for employment, or pertaining to any of the provisions thereof, which are submitted in writing to the Administrator, Wage and Hour Division, United States Department of Labor, Washington 25, D. C., within 5 days from publication hereof in the FEDERAL REGISTER.

Sec.
520.1 Definitions.
520.2 Applications.
520.3 Conditions under which certificates will be issued.
520.4 Conditions barring issuance of certificates.
520.5 Duration of certificates.
520.6 Terms of certificate.
520.7 Proceedings on applications.
520.8 Revocation and cancellation.
520.9 Review.
520.10 Petition for amendment of the regulations in this part.

AUTHORITY: §§ 520.1 to 520.10 issued under sec. 14, 52 Stat. 1068, 29 U. S. C. 214; as amended, 63 Stat. 910.

§ 520.1 *Definitions.* As used in the regulations in this part:

(a) "Student-learner" means a student who is receiving instruction in an accredited school, college or university and who is employed on a part-time basis pursuant to a bona fide training program which is under the supervision of a State board of vocational education or other recognized educational body.

(b) A "bona fide vocational training program" means a program providing for part-time employment of student-learners for a part of the working day, or for alternating weeks, or for limited periods during the year, such employment providing training which is supplemented by related instruction given the student-learner as a regular part of his school course by the school, college or university.

§ 520.2 *Applications.* (a) Applications may be filed with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington, D. C., by any officer of a school, college or university, for a special certificate authorizing the employment at wages below the minimum established in section 6 of the Fair Labor Standards Act, as amended, of a student learner engaged in a bona fide vocational training program where such action is necessary to prevent curtailment of opportunities for employment.

(b) All applications must be on official forms furnished on request by the Wage and Hour Division and must be signed by the employer, the school official, and the student learner. Applications must contain all information required by such forms, including among other things, a brief statement clearly outlining the vocational training program and showing, particularly, the nature of the processes in which the student-learner will be engaged when in training on the job; a brief statement clearly outlining the related school instruction; information

showing the total number of persons employed in the establishment; data regarding the age of the employee, the proposed hourly wage rate, the length of the period for and the total weekly hours devoted to employment training and school instruction.

§ 520.3 *Conditions under which certificates will be issued.* The Administrator of the Wage and Hour Division or his authorized representative may issue a certificate permitting employment of a named student-learner by a named employer where it is found that such employment provides training in an occupation which requires a substantial amount of skill and a significant learning period, which employment-training is supplemented by and integrated with a definitely organized plan of instruction designed to teach technical knowledge and related industrial information given as a part of the student learner's course by an accredited school, college, or university.

Where the vocational training program is operated under the Smith-Hughes and George-Barden Acts, the Administrator or his authorized representative may consult with and require approval of any application by the State board of vocational education or the State or local representative advisory committee (consisting of an equal number of employers and employees) which has been established pursuant to official policies for the administration of vocational education. In any case, evidence may be required that the occupations selected for employment training, as well as the training plans for every student, have been approved by a State or local representative advisory committee if one exists.

§ 520.4 *Conditions barring issuance of certificates.* No certificates will be issued authorizing the employment training of student learners under any of the following conditions:

(a) When the issuance of a certificate would authorize the employment of minors contrary to the child labor provisions of the Fair Labor Standards Act[1] or the orders and regulations issued by the Secretary of Labor pursuant thereto (Parts 400 to 481 of Chapter IV of this title).

(b) When the issuance of such a certificate would tend to prevent the development of apprenticeships in accordance with the regulations applicable thereto (Part 521 of this chapter), or when the issuance of such certificate would impair established apprenticeship standards in the occupation involved.

(c) When it is found that employment of student-learners at subminimum wage rates would tend to depress the wage rates or working standards of experienced workers in the same occupations.

(d) When the employment of a student-learner would displace a regular worker or when such employment would fill a job or position which would otherwise be filled by a regular worker.

(e) When the number of student-learners to be employed in one establishment is more than a small proportion of its working force.

(f) When the occupational needs of the community or the industry do not warrant the training of new workers.

(g) When training is confined to a single operation for the purpose of developing high production speed.

§ 520.5 *Duration of certificates.* (a) Where employment starts at the beginning of the regular school year, the certificate will be issued for a period not to exceed one school year unless a longer period is found to be justified by reason of exceptional circumstances. If coordinated training continues throughout the summer vacation, the effective period of the certificate may be extended to cover the summer work, provided authorization is obtained from the Division in advance.

(b) Where it is desired to start employment during the summer vacation immediately prior to the commencement of the school year, the application must include, in addition to the information required in § 520.2 (b) all employment experience of the student learner with the employer. The certificate may be issued for a period not to exceed 12 months, and employment shall not begin prior to approval by the Administrator or his authorized representative.

§ 520.6 *Terms of certificate.* (a) Each certificate issued shall specify the maximum number of hours of employment and of instruction, and the minimum wage rate or rates authorized therein.

(1) The wage rate or rates established shall average over the period covered by the certificate not less than 75 percent of the statutory minimum, except that for the period between January 25, 1950, and June 30, 1950, a lower rate may be authorized.

(2) The number of hours worked each week added to the number of hours of school instruction shall not exceed 40 hours a week, except in extraordinary circumstances. The certificate may provide for the employment of student learners for 40 hours in any week when school is not in session.

(b) No provision of the regulations in this part shall excuse noncompliance with any other Federal law, or State law or municipal ordinance, concerning child labor or establishing a minimum wage higher, or a maximum work week shorter, than that authorized by any certificate issued pursuant to the regulations contained in this part.

§ 520.7 *Proceedings on applications.* (a) In considering one or more applications filed under these regulations in this part the Administrator or his authorized representative may call a hearing upon due notice to all interested parties, or may provide other opportunity for interested parties to present their views on the issues raised by such application or applications.

(b) Upon the submission of additional material facts, an authorized representative may reconsider an application and may affirm, reverse or amend his former action in granting or denying such application.

§ 520.8 *Revocation and cancellation.* (a) The Administrator or his authorized representative may cancel any certificate for cause. Cancellation may be effected (1) as of the date of issuance if it is found that the applicant set forth any fact or facts in the application which he knew or had reasonable cause to believe to be false; (2) as of the date of violation if it is found that any of its terms have been violated; and (3) prospectively if it is found that the conditions of employment of the student-learner have changed or that the purposes for which the certificate was originally issued no longer obtain.

(b) Except in cases of willfulness or those in which the public interest requires otherwise, before any contemplated action for the cancellation or revocation of any special certificate for the employment of a student learner will be considered, facts or conduct which may warrant such action will be called to the attention of the employer and he shall be afforded an opportunity to achieve or demonstrate compliance, or to show that the conditions of employment of the student-learner have not changed or that the purpose for which the certificate was originally issued still exist.

(c) No order canceling any special certificate shall take effect until the expiration of the time allowed for the filing of a petition for review under § 520.9, and if a petition for review is filed thereunder, the effective date of the cancellation shall be postponed until final action is taken on such a petition.

§ 520.9 *Review.* Any person aggrieved by the action of an authorized representative of the Administrator may within 15 days thereafter, or within such further time as the Administrator, for cause shown, may allow, file a petition for review by the Administrator of the action of the authorized representative and pray for such relief as is desired. If such petition for review is granted, all interested parties shall be afforded an opportunity to present oral or written argument before the Administrator or an authorized representative who took no part in the action under review.

§ 520.10 *Petition for amendment of the regulations in this part.* Any person wishing a revision of any of the terms of the foregoing regulations may submit in writing to the Administrator a petition setting forth the changes desired and the reasons for proposing them. If reasonable cause for amendment of the regulations is set forth, a hearing will be granted before the Administrator or his authorized representative with due notice to interested parties, or other provision will be made for affording interested parties an opportunity to present their views with respect to the proposed changes.

Signed at Washington, D. C., this 13th day of January 1950.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 50-544; Filed, Jan. 16, 1950; 9:01 a. m.]

[1] In general, the act establishes a 16-year minimum age for all manufacturing, mining, or processing occupations and an 18-year minimum for occupations which are found and declared by the Secretary of Labor to be particularly hazardous.

NOTICES

FEDERAL POWER COMMISSION

[Project No. 1927]

CALIFORNIA OREGON POWER CO.

NOTICE OF ORDER APPROVING INSTALLATION OF ADDITIONAL GENERATING UNIT AND AUTHORIZING AMENDMENT OF LICENSE (MAJOR)

JANUARY 12, 1950.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its order entered January 10, 1950, in the above-designated matter, approving installation of additional generating unit and authorizing amendment of license.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-485; Filed, Jan. 16, 1950; 8:46 a. m.]

[Docket No. G-875]

INDUSTRIAL GAS CORP.

NOTICE OF ORDER DISMISSING PETITION AND TERMINATING PROCEEDINGS

JANUARY 12, 1950.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its order entered January 10, 1950, in the above-designated matter, dismissing petition for lack of prosecution and terminating proceedings.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-486; Filed, Jan. 16, 1950; 8:47 a. m.]

[Docket No. G-924]

PHEBUS PIPE LINE CO.

NOTICE OF ORDER DISMISSING APPLICATION

JANUARY 12, 1950.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its order entered January 10, 1950, dismissing application for a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-487; Filed, Jan. 16, 1950; 8:47 a. m.]

[Docket No. G-1147]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF ORDER DISMISSING PROCEEDING

JANUARY 12, 1950.

In the matter of Panhandle Eastern Pipe Line Company and Hugoton Production Company, et al.; Docket No. G-1147.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its order entered January 10, 1950, dismissing the proceeding in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-488; Filed, Jan. 16, 1950; 8:47 a. m.]

[Docket No. G-1233]

EASTERN NATURAL GAS CORP.

NOTICE OF ORDER PERMITTING WITHDRAWAL OF APPLICATION

JANUARY 12, 1950.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its order entered January 10, 1950, permitting withdrawal of application for a certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-489; Filed, Jan. 16, 1950; 8:47 a. m.]

[File Nos. ID-300, ID-907, ID-910, ID-1053, ID-1054, ID-1066, ID-1130]

A. T. O'NEILL ET AL.

NOTICE OF AUTHORIZATIONS

JANUARY 11, 1950.

In the matters of A. T. O'Neill, Docket No. ID-1054; Charles A. Tattersall, Docket No. ID-1066; George J. Brett, Docket No. ID-907; Edwin S. Bundy, Docket No. ID-1053; William L. Collins, Docket No. ID-300; Arthur W. Jackson, Docket No. ID-910; Gustav F. Walters, Docket No. ID-1130.

Notice is hereby given that on January 11, 1950, the Federal Power Commission issued its orders entered January 10, 1950, in the above-designated matters, authorizing Applicants to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-479; Filed, Jan. 16, 1950; 8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24793]

PETROLEUM FROM NEW ORLEANS-BATON ROUGE GROUP TO THE WEST

APPLICATION FOR RELIEF

JANUARY 12, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. P. Emerson, Jr., Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 369.

Commodities involved: Petroleum, petroleum products and related articles, carloads.

From: Points in New Orleans-Baton Rouge district and adjacent territory.

To: Points in Western Trunk Line and adjacent territory.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: W. P. Emerson, Jr.'s, tariff I. C. C. No. 369, Supplement 37.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-493; Filed, Jan. 16, 1950; 8:48 a. m.]

[4th Sec. Application 24794]

PULPBOARD FROM HOUSTON, TEX., TO MARTINSVILLE, VA.

APPLICATION FOR RELIEF

JANUARY 12, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3788.

Commodities involved: Pulpboard, carloads.

From: Houston, Tex.

To: Martinsville, Va.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3788, Supplement 43.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters

involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-494; Filed, Jan. 16, 1950; 8:48 a. m.]

[4th Sec. Application 24795]

PHOSPHATE ROCK FROM FLORIDA TO EL PASO, TEX.

APPLICATION FOR RELIEF

JANUARY 12, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3697.

Commodities involved: Phosphate rock, carloads.

From: Points in Florida.

To: El Paso, Tex.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3697, Supplement 122.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-491; Filed, Jan. 16, 1950; 8:48 a. m.]

[4th Sec. Application 24796]

GREEN COFFEE FROM GULF PORTS TO ST. LOUIS, MO.

APPLICATION FOR RELIEF

JANUARY 12, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. No. 348.

Commodities involved: Coffee, green, in bags, carloads.

From: New Orleans and Port Chalmette, La., Gulfport, Miss., Mobile, Ala., and Pensacola, Fla.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: W. P. Emerson, Jr.'s tariff I. C. C. No. 348, Supplement 118.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-492; Filed, Jan. 16, 1950; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-178]

UNITED LIGHT AND RAILWAYS CO. ET AL.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of January A. D. 1950.

The United Light and Railways Company ("Railways") and its subsidiary, Continental Gas & Electric Corporation ("Continental"), both registered holding companies, having filed, together with their subsidiary companies, a joint application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("act") and other applicable provisions of the act for approval of a plan and amendments thereto ("plan"), providing, among other things, for the liquidation and dissolution of Railways and Continental, the discharge of their liabilities and the distribution of their assets to their stockholders, and Railways having filed a declaration pursuant to Rule U-62 with respect to the solicitation of consents of its common stockholders in connection with such plan; and

Public hearings having been duly held after appropriate notice, at which hearings all interested persons were afforded an opportunity to be heard; and

Applicants having requested that the Commission enter an order approving the plan and authorizing the applicants to proceed with its consummation, and having further requested that said order incorporate appropriate recitals with respect to the several transactions contemplated by the plan conforming to the requirements of Supplement R and Section 1808 (f) of the Internal Revenue Code, as amended; and

The Commission having considered the record in the matter and having filed its findings and opinion herein on December 29, 1949, finding that, if the plan is amended in certain respects as set forth in said findings and opinion, the plan is necessary to effectuate the provisions of section 11(b) of the act and fair and equitable to all persons affected thereby, and further finding that the solicitation material complies with the applicable requirements of the act and the rules promulgated thereunder; and

The applicants having on January 6, 1950, filed a further amendment modifying the plan in accordance with the aforesaid findings and opinion of the Commission; and

The Commission having considered the aforesaid amendment filed on January 6, 1950, in the light of its findings and opinion of December 29, 1949, and finding that the plan, as thus amended, is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby, and deeming it appropriate to grant the applicants' request with respect to the making of certain tax recitals conforming to the requirements of Supplement R and section 1808 (f) of the Internal Revenue Code, as amended:

It is ordered, Pursuant to the applicable provisions of the act, that the plan as amended be, and hereby is, approved, subject, however, to the conditions specified in Rule U-24 and subject to the following terms and conditions:

1. That jurisdiction be, and hereby is, specifically reserved to determine the reasonableness and appropriate allocation of all fees and expenses and other remuneration incurred or to be incurred in connection with said plan, as amended, and the transactions incident thereto;

2. That jurisdiction be, and hereby is, reserved to entertain such further proceedings, to make such supplemental findings and to take such further action as the Commission may deem appropriate in connection with the amended plan, the transactions incident thereto and the consummation thereof and the accounting entries in connection therewith, and to enter such further orders as may be necessary to secure full compliance with the act;

3. That jurisdiction be, and hereby is, reserved with respect to the original cost studies of the gas utility properties of Iowa Power pursuant to Rule U-27 and the recording of the accounting entries necessary in connection therewith;

4. That jurisdiction be, and hereby is, reserved with respect to the efforts to be made by applicants or their agents to locate the common stockholders of Continental and Railways who do not claim all or any of the distributions provided for under the plan; and

5. That jurisdiction be, and hereby is, reserved to pass upon such transactions as are reserved for later action in accordance with the provisions of said plan, as amended.

It is further ordered, That the declaration of Railways pursuant to Rule U-62 be permitted to become effective forthwith and that the findings and opinion of the Commission entered in this proceeding serve as the report required by section 11 (g) of the act.

It is further ordered and recited, That the steps and transactions itemized below involved in the consummation of the plan, as amended, are necessary or appropriate to the integration or simplification of the holding company system of which Railways and Continental are members and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

(1) The change of the 697,000 outstanding shares of common stock without par value of Kansas City Power & Light Company into 1,640,000 outstanding shares of common stock without par value, and, in connection therewith, the issuance by Kansas City of a new certificate or certificates evidencing said 1,640,000 shares of common stock without par value to be outstanding, in exchange for the certificate or certificates evidencing said 697,000 shares of common stock without par value which are now outstanding.

(2) The issuance and distribution by Iowa Power and Light Company to the holders of shares of its outstanding common stock of the par value of $10 each of 58,499 additional shares of such common stock as a stock dividend.

(3) The issuance and sale by Iowa Power to Railways or Continental of 300,000 additional shares of common stock of the par value of $10 each of Iowa Power for $3,000,000 in cash.

(4) The change of the 40,409 previously outstanding shares of common stock of the par value of $100 each of St. Joseph Light & Power Company into 212,579 outstanding shares of common stock without par value, and, in connection therewith, the issuance by St. Joseph of a new certificate or certificates evidencing said 212,579 outstanding shares of common stock without par value in exchange for the certificate or certificates evidencing said 40,409 previously outstanding shares of common stock of the par value of $100 each.

(5) The issuance and sale by St. Joseph to Continental of 105,213 additional shares of common stock without par value of St. Joseph for $2,000,000 in cash.

(6) The disposition by Continental of its investment in Eastern Kansas Utilities, Inc., under any of the alternative procedures set forth in paragraph 6 of the plan, including all exchanges, distributions, sales or transfers of stock, securities, real estate or other property and all original issues of stock or securities in connection with or incident to such disposition, and the investment or expenditure of the proceeds thereof for any of the purposes contemplated by the plan.

(7) The disposition by Continental of its investment in Hume-Sinclair Coal Mining Company pursuant to paragraph 7 of the plan, including all exchanges, distributions, sales or transfers of stock, securities, real estate or other property and all original issues of stock or securities in connection with or incident to such disposition, and all investments or expenditures of the proceeds thereof for any of the purposes contemplated by the plan.

(8) The disposition by Railways of its investment in Mason City and Clear Lake Railroad Company pursuant to paragraph 7 of the plan, including all exchanges, distributions, sales or transfers of stock, securities, real estate or other property and all original issues of stock or securities in connection with or incident to such disposition, and all investments or expenditures of the proceeds thereof for any of the purposes contemplated by the plan.

(9) The distribution and transfer by Continental to its common stockholders (other than Railways) of three shares of common stock of Kansas City, two shares of common stock of Iowa Power, and one-half share of common stock of St. Joseph (or scrip certificates in lieu of fractional shares of common stock of St. Joseph) in exchange for common stock of Continental surrendered for cancellation by such common stockholders.

(10) The distribution and transfer by Continental to Railways of all shares of the common stocks of Kansas City, Iowa Power and St. Joseph owned by Continental (except the shares of such common stocks and of the scrip of St. Joseph held for distribution to Continental's minority stockholders as set forth in (9) above) and of all other property and assets of Continental, in exchange for common stock of Continental surrendered for cancellation by Railways and the assumption by Railways of all debts and liabilities of Continental.

(11) The change of the 168,300 outstanding shares of common stock of Iowa-Illinois Gas and Electric Company of the par value of $100 each into 1,683,000 outstanding shares of common stock without par value, and, in connection therewith, the issuance by Iowa-Illinois of a new certificate or certificates evidencing said 1,683,000 shares of common stock without par value to be outstanding in exchange for the certificate or certificates evidencing said 168,300 shares of common stock of the par value of $100 per share now outstanding.

(12) The issuance and distribution by Iowa-Illinois to Railways, as the holder of all of the outstanding shares of common stock without par value of Iowa-Illinois, of 221,003 additional shares of such common stock as a stock dividend.

(13) The distribution and transfer by Railways to its common stocholders of shares of common stock without par value of St. Joseph on the basis of one share of common stock of St. Joseph for each ten shares of common stock of Railways (together with scrip certificates in lieu of fractional shares).

(14) The issuance and sale by Kansas City to Railways of a number of shares without par value of Kansas City equal to the difference between (a) 1,904,003 and (b) the number of shares of common stock without par value of Kansas City held by Railways at the time of such issuance and sale, for a consideration of $5,000,000.

(15) The issuance by Railways to its common stockholders of rights to purchase shares of common stock without par value of Kansas City at such price as may be fixed by the board of directors of Railways, on the basis of three shares of common stock of Kansas City for each five shares of common stock of Railways; the receipt and sale or exercise of such rights by such common stockholders; the sale and transfer by Railways, pursuant to the aforesaid rights, of such number of shares of common stock of Kansas City as may be required upon the exercise of such rights by the holders thereof; the sale and transfer by Railways, at public or private sale, of any of said shares of common stock of Kansas City in respect of which the aforesaid rights shall not be exercised; and the expenditure by Railways of the proceeds of the aforesaid sale or sales of common stock of Kansas City, to the extent required, to pay and retire the notes of Continental outstanding under its Loan Agreement, dated November 24, 1945, with certain commercial banks, to be assumed by Railways under the plan and the notes of Railways outstanding under its Loan Agreement, dated April 30, 1949, with certain commercial banks.

(16) The distribution and transfer by The United Light and Railways Service Company ("Service Company") to Railways of all of the properties and assets of Service Company in exchange for common stock of the Service Company surrendered for cancellation by Railways and the assumption by Railways of any outstanding liabilities of the Service Company.

(17) The distribution and transfer by Railways to its common stockholders (either prior to or in conjunction with the distribution referred to in the succeeding paragraph 18 hereof) of shares of common stock of the par value of $10 each of Iowa Power, on the basis of one share of common stock of Iowa Power for each two shares of common stock of Railways (together with scrip certificates in lieu of fractional shares of common stock of Iowa Power).

(18) The distribution and transfer by Railways to its common stockholders, in exchange for common stock of Railways surrendered for cancellation by such common stockholders, of shares of common stock without par value of Iowa-Illinois, on the basis of three shares of such common stock of Iowa-Illinois for each five shares of common stock of Railways, together with such amount of cash, if any, as may have accumulated in excess of the amount reserved to pay the remaining indebtedness, liabilities and expenses of Railways, Continental and Service Company.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-474; Filed, Jan. 16, 1950; 8:46 a. m.]

[File No. 70-2285]

UNITED GAS CORP. AND UNITED GAS PIPE LINE CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 11th day of January A. D. 1950.

United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, and United's wholly owned subsidiary, United Gas Pipe Line Company ("Pipe Line") have filed an application-declaration and amendments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7, 9 (a) (1), 10 and 12 (c) thereof and Rules U-42 and U-50 of the rules and regulations promulgated thereunder with respect to the following proposed transactions:

United proposes to issue and sell pursuant to the competitive bidding requirements of Rule U-50, $25,000,000 principal amount of First Mortgage and Collateral Trust Bonds, __% Series due 1970. Said bonds will be issued under and secured by United's presently existing Mortgage and Deed of Trust dated as of October 1, 1944, as supplemented by the First and Second Supplemental Indentures dated as of July 1, 1947, and January 1, 1950, respectively. Proceeds from the proposed sale of Bonds are proposed to be used for the purchase by United from Pipe Line for $18,000,000 in cash of a like principal amount of Pipe Line's First Mortgage Bonds, 4% Series due 1962, the balance, together with funds obtained from the payment by Pipe Line of its note in the amount of $3,000,000, to be used in connection with United's construction program.

United presently owns $35,767,000 principal amount of Pipe Line's First Mortgage Bonds, 4% Series, due 1962, issued under a Mortgage and Deed of Trust dated as of September 25, 1944, and First and Second Supplemental Indentures dated as of October 1, 1946, and June 1, 1947, respectively. Said bonds are pledged under United's Mortgage and Deed of Trust. Pipe Line proposes to issue and sell to United for cash at par an additional $18,000,000 principal amount of such bonds which will also be pledged with the Trustee under United's Mortgage and Deed of Trust. Pipe Line proposes to use the proceeds from such sale for the payment of its 3% promissory note in the amount of $3,000,000 owned by United, the balance to be available for Pipe Line's construction program.

Said application-declaration having been filed on December 16, 1949, amendments thereto having been filed on December 21, 1949, and January 10, 1950, notice of said filing having been given in the form and maner required by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in compliance with the applicable standards of the act, that no adverse findings are necessary in connection therewith and that it is appropriate that said application-declaration, as amended, be granted and permitted to become effective subject to the terms and conditions hereinafter stated, and the Commission also deeming it appropriate to grant applicants'-declarants' request that the order herein become effective forthwith upon its issuance:

It is ordered, Pursuant to said Rule U-23 and the applicable provisions of the act that said application-declaration, as amended, be, and the same hereby is granted and permitted to become effective forthwith subject to the terms and conditions contained in Rule U-24 and subject to the following additional conditions:

(1) That the issuance and sale of said bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record as so completed; and

(2) That jurisdiction be, and the same hereby is, reserved with respect to the payment of fees and expenses incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-472; Filed, Jan. 16, 1950; 8:46 a. m.]

[File No. 70-2295]

GENERAL PUBLIC UTILITIES CORP. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 10th day of January 1950.

In the matter of General Public Utilities Corporation, Metropolitan Edison Company, New Jersey Power & Light Company; File No. 70-2295.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and its subsidiaries, Metropolitan Edison Company ("Meted") and New Jersey Power & Light Company ("New Jersey"), have filed with this Commission a joint application-declaration pursuant to the provisions of the Public Utility Holding Company Act of 1935. Applicants-declarants have designated sections 6 (b), 7, 12 (d) and 12 (e) of the act and Rules U-44, U-45, U-50, U-62, and U-65 of the general rules and regulations promulgated under the act as applicable to the proposed transactions.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

GPU proposes to dispose of its investment in the common stock of Staten Island Edison Company ("Staten Island"). The exact details of such disposition will be supplied by amendment. GPU believes that it will not be practicable to effect the sale, at a fair price, of its investment in Staten Island by utilization of the competitive bidding procedures contemplated by Rule U-50 because of Staten Island's recent history. Therefore, GPU requests that the sale of its investment in Staten Island be exempted from the competitive bidding requirements of Rule U-50.

Out of the proceeds realized by GPU from the sale of its investment in Staten Island, GPU proposes to make a cash capital contribution of $4,000,000 to Meted and $650,000 to New Jersey.

Meted proposes to issue and sell, at competitive bidding, $7,000,000 principal amount of First Mortgage Bonds, __% Series, due 1980, and 30,000 shares of Cumulative Preferred Stock, __% Series, of the par value of $100 per share. The proceeds from the sale of the 1980 Series Bonds, the preferred stock, and the capital contribution from GPU will be utilized by Meted for construction purposes, or for the payment of short-term loans incurred or to be incurred for such purposes.

In connection with the foregoing transactions, Meted proposes to solicit the consent of the holders of its outstanding Cumulative Preferred Stock so as to increase to 50,000 shares, the number of shares of such stock authorized but unissued.

New Jersey proposes to issue and sell, at competitive bidding, 20,000 shares of Cumulative Preferred stock, __% Series, of the par value of $100 per share. The proceeds from the sale of the preferred stock and the capital contribution from GPU will be utilized by New Jersey for reimbursement of working capital used by New Jersey prior to November 30, 1949 and for new construction, or for the payment of short-term bank loans incurred or to be incurred for such purposes.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint application-declaration, and said joint application-declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission;

It is hereby ordered, That a hearing on said joint application-declaration, pursuant to the applicable provisions of the act and the rules of the Commission, be held on January 17, 1950, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing is to be held. Any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before January 13, 1950, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That James G. Ewell, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to

exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the said joint application-declaration, and that, on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the securities to be issued are solely for the purpose of financing the business of the issuers and will have been expressly authorized by the State Commission of the States in which such companies are engaged and doing business and whether terms and conditions should be imposed in the public interest or the interest of investors or consumers to protect the financial integrity of Meted and New Jersey and to assure that such securities are reasonably adapted to the security structures of Meted and New Jersey and of the holding company system of which they are a part.

(2) The nature and extent of the construction programs of Meted and New Jersey and the plans they have made for their financing.

(3) The nature and extent of the financing program of GPU and its subsidiaries, with particular emphasis upon the extent to which GPU proposes to supply equity capital to its subsidiaries in connection with the financing of their construction programs and the possible sources of such funds.

(4) Generally, whether GPU has devised a program for the financing of its subsidiaries designed to maintain balanced capital structures with proper amounts of equity capital.

(5) Whether any terms and conditions should be imposed in the public interest or for the protection of investors and consumers either with respect to Meted and New Jersey in connection with securing equity capital or with respect to GPU in connection with the furnishing of equity capital to its subsidiaries.

(6) Whether compliance by GPU with the competitive bidding requirements of Rule U-50 with respect to the sale by GPU of the common stock of Staten Island, is not necessary or appropriate under the circumstances.

(7) Whether the price to be received by GPU for the common stock of Staten Island is fair and reasonable.

(8) Whether the fees, commission, and other expenses to be incurred are for necessary services and are reasonable in amount.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to General Public Utilities Corporation, Metropolitan Edison Company, New Jersey Power & Light Company, the Pennsylvania Public Utility Commission, the Board of Public Utility Commissioners of New Jersey, and the Federal Power Commission, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-473; Filed, Jan. 16, 1950; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14231]

LINA HOLSCHER

In re: Real property and a claim owned by Lina Holscher.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lina Holscher, whose last known address is Voremberg Dorfstrasse 1, Hameln Province, Hannover, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property situated in the City of Pittsburgh, County of Allegheny, State of Pennsylvania, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt or other obligation owing to the person named in subparagraph 1 hereof, by Gustav Holscher, 317 Caperton Street, Pittsburgh, Pennsylvania, arising out of rents collected on the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 6, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Acting Director, Office of Alien Property.*

EXHIBIT A

All that certain piece of land situate in the Eighteenth Ward (formerly Thirty-second Ward) of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, and designated and known as Lot No. 601 in a certain plant of lots called Grandview surveyed for Clifford B. Harmon which is duly recorded in the office of the Recorder of Deeds for Allegheny County aforesaid in Plan Book Vol. 20, pages 166 and 167. Excepting the coal underlying said premises which has been mined. Subject to the building restrictions as cited in Deed from Robert T. Payne, Jr. et ux. to Charles Cotterell dated January 31, 1907, and recorded in the office of the Recorder of Deeds aforesaid in Deed Book Vol. 1534, page 115.

[F. R. Doc. 50-460; Filed, Jan. 13, 1950; 8:54 a. m.]

[Vesting Order 14219]

MOKUYO-KAI

In re: Bank accounts owned by Mokuyo-Kai, also known as Thursday Club. D-39-554-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation.

1. It having been found and determined by Vesting Order 162, dated September 24, 1942, that Sumitomo Bank of Seattle, a Washington corporation and a business enterprise within the United States, is a national of a designated enemy country (Japan);

2. It having been found and determined by Vesting Order 136, dated August 28, 1942, and Vesting Order 480, dated December 11, 1942, that Yamashita Shipping Company, an Oregon corporation and a business enterprise within the United States, is a national of a designated enemy country (Japan);

3. It is hereby found that the corporations whose names and last known addresses are listed below as follows:

Name and Last Known Address

The Yokohama Specie Bank, Ltd., Yokohama, Japan.

Nippon Yusen Kaisha, Tokyo, Japan.

Mitsubishi Shoji Kaisha, Ltd., Tokyo, Japan.

Mitsui & Co., Ltd., Tokyo, Japan.

The United Ocean Transport Co., Ltd., Kobe, Japan.

are corporations organized under the laws of Japan and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan and are nationals of a designated enemy country (Japan);

4. It is hereby found that Mokuyo-Kai, also known as Thursday Club, Seattle, Washington, an unincorporated association, is or, since the effective date of Executive Order 8389, as amended, has been controlled, directly or indirectly, by the corporations named in subparagraphs 1, 2 and 3 hereof and is a national of a designated enemy country (Japan);

5. It is hereby found that the property described as follows:

a. That certain debt or other obligation owing to Mokuyo-Kai, also known as Thursday Club, by Sumitomo Bank of Seattle, Room 1210–1411 Fourth Avenue Building, Seattle, Washington, arising out of a checking account entitled Mokuyo-Kai, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to Mokuyo-Kai, also known as Thursday Club, by Sumitomo Bank of Seattle, Room 1210–1411 Fourth Avenue Building, Seattle, Washington, arising out of certificate of deposit number 819, issued by and presently in the custody of said bank, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all rights in, to and under the aforesaid certificate of deposit,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Mokuyo-Kai, also known as Thursday Club, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

6. That Mokuyo-Kai is controlled by or acting for or on behalf of a designated enemy country (Japan) or persons within such country and is a national of a designated enemy country (Japan);

7. That to the extent that the Sumitomo Bank of Seattle, Yamashita Shipping Company, Mokuyo-Kai, also known as Thursday Club, and the persons named in subparagraph 3 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national," "designated enemy country," and "business enterprise within the United States" as used herein and in the Vesting Orders referred to herein had and shall have the meanings prescribed in section 10 of Executive Order 9095, as amended by Executive Order 9193, as amended.

Executed at Washington, D. C., on December 28, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-458; Filed, Jan. 13, 1950; 8:54 a. m.]

[Vesting Order 14192]

ALBERT WEHL

In re: Stock owned by Albert Wehl. F-28-30586-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Albert Wehl, whose last known address is Berlin S. W. 61 Grossbeerenstrasse 56 E Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. One (1) share of no par value common capital stock of General Foods Corporation, 250 Park Avenue, New York 17, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered NC083542, registered in the name of Wertheim & Co., and presently in the custody of said Wertheim & Co., together with all declared and unpaid dividends thereon,

b. One (1) share of no par value common capital stock of Montgomery Ward & Co., Incorporated, 619 West Chicago Avenue, Chicago, Illinois, a corporation organized under the laws of the State of Illinois, evidenced by a certificate numbered NC0799681, registered in the name of Wertheim & Co., and presently in the custody of said Wertheim & Co., together with all declared and unpaid dividends thereon,

c. One (1) share of $25.00 par value common capital stock of The American Tobacco Company, 111 Fifth Avenue, New York 3, New York, a corporation organized under the laws of the State of New Jersey, being part of the 3 shares of said stock evidenced by certificate numbered CC207709, registered in the name of Wertheim & Co., and presently in the custody of Wertheim & Co., together with all declared and unpaid dividends thereon,

d. Two (2) shares of no par value common capital stock of Kennecott Copper Corporation, a corporation organized under the laws of the State of New York, 120 Broadway, New York 5, New York, being part of the 15 shares of said stock evidenced by a certificate numbered 459726, registered in the name of Wertheim & Co., and presently in the custody of said Wertheim & Co., together with all declared and unpaid dividends thereon,

e. Three (3) shares of $25.00 par value common capital stock of Phelps Dodge Corporation, a corporation organized under the laws of the State of New York, 40 Wall Street, New York 5, New York, being part of the 7 shares of said stock evidenced by a certificate numbered 0221131, registered in the name of Wertheim & Co., and presently in the custody of said Wertheim & Co., together with all declared and unpaid dividends thereon,

f. Four (4) shares of $15.00 par value common capital stock of Socony-Vacuum Oil Company, Inc., a corporation organized under the laws of the State of New York, 26 Broadway, New York 4, New York, being part of the 11 shares of said stock evidenced by a certificate numbered C491340, registered in the name of Wertheim & Co., and presently in the custody of said Wertheim & Co., together with all declared and unpaid dividends thereon, and

g. That certain debt or other obligation of Wertheim & Co., 120 Broadway, New York, New York, in the amount of $154.00, as of December 31, 1945, representing a portion of a credit balance in the account of Banque Commerciale S. A. Luxemburg, on the books of said Wertheim & Co., together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Albert Wehl, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on December 16, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-455; Filed, Jan. 13, 1950; 8:53 a. m.]